



भारत का राजपत्र

The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

साप्ताहिक
WEEKLY

सं. 8] नई दिल्ली, फरवरी 13—फरवरी 19, 2011, शनिवार/माघ 24—माघ 30, 1932
No. 8] NEW DELHI, FEBRUARY 13—FEBRUARY 19, 2011, SATURDAY/MAGHA 24—MAGHA 30, 1932

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 11 फरवरी, 2011

का.आ. 477.—केंद्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1973 (1974 का अधिनियम सं. 2) की धारा 24 की उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मुम्बई के मुम्बई उच्च न्यायालय में दिल्ली विशेष पुलिस स्थापना द्वारा अन्वेषित किए जा रहे मामलों में अभियोजन अपीलों, उन्नीक्षणों या अन्य मामलों से उद्भूत मामलों का संचालन करने के लिए श्री डी. एन. साल्वी, एडवोकेट को केंद्रीय अन्वेषण ब्यूरो के विशेष लोक अभियोजक के रूप में नियुक्त करती है।

[सं. 225/1/2010-एवीडी-II]

बी. एम. रत्नम, उप सचिव

MINISTRY OF PERSONNEL, PUBLIC
GRIEVANCES AND PENSIONS

(Department of Personnel and Training)

New Delhi, the 11th February, 2011

S. O. 477.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Shri D. N. Salvi, Advocate as Special Public Prosecutor of the Central Bureau of Investigation in the Bombay High Court at Mumbai for conducting the prosecution appeals, revisions for other matters arising out of the cases investigated by the Delhi Special Police Establishment.

[No. 225/1/2010-AVD-II]
V. M. RATHNAM, Dy. Secy.

नई दिल्ली, 14 फरवरी, 2011

का. आ. 478.—केंद्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं. 25) की

धारा 6 के साथ पठित धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए परिचम बंगाल राज्य सरकार, गृह विभाग, (राजनीतिक) गुप्त अनुभाग, कोलकाता की अधिसूचना सं. 1265-पी. एस. दिनांक-15-7-2010 द्वारा प्राप्त सहमति से दिनांक 24-9-2009 को पुलिस थाना बर्वन (मुरशिदाबाद) में भारतीय दंड संहिता 1860 (1860 का अधिनियम सं. 45) की धारा 409, 420, 465, 467, 468 और 471 के तहत दर्ज मुकदमा सं. 288/09 के अधीन, 1.30 करोड़ रु. (लगभग) के बैंक धोखाधड़ी और उक्त अपराध से संबंधित अथवा संसक्त प्रयत्नों, दुष्टरणों और घड़यांत्रों और संव्यवहार के अनुक्रम में किए गए अथवा उन्हीं तथ्यों से उद्भूत किन्हीं अन्य अपराधों का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों तथा अधिकारिता का विस्तार सम्पूर्ण परिचम बंगाल राज्य पर करती है।

[सं. 228/55/2010-एवीडी-II]

बी. एम. रत्नम, उप सचिव (बी-II)

New Delhi, the 14th February, 2011

S. O. 478.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of West Bengal Home (Political) Department, Secret Section, Kolkata vide Notification No. 1265-P. S. dated 15th July, 2010, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of West Bengal for investigation of Case No. 288/09 dated 24-9-2009 under sections 409, 420, 465, 467, 468 and 471 of the Indian Penal Code, 1860 (Act No. 45 of 1860) registered at Police Station Burwan (Murshidabad) relating to the case of Bank Frauds of Rs. 1.30 crore (approx.) and attempts, abettments and conspiracy in relation to or in

connection with above mentioned offences and any other offence/offences committed in the course of the same transaction or arising out of the same facts.

[No. 228/55/2010-AVD-II]

V. M. RATHNAM, Dy. Secy. (V-II)

विदेश मंत्रालय

(सीपीवी प्रभाग)

नई दिल्ली, 21 जनवरी, 2011

का.आ. 479.—राजनीतिक और कोंसलीय ऑफिसर (शपथ और फीस) के अधिनियम, 1948 की धारा 2 के खंड (क) के अनुसरण में, केन्द्रीय सरकार एतद्वारा श्री लोकनाथ चटर्जी, साहायक को 21-1-2011 से भारत के राजदूतावास, ऐडिस अबाबा में सहायक कोंसलर अधिकारी के कर्तव्यों का पालन करने के लिए प्राधिकृत करती है।

[सं. टी. 4330/1/2006]

आर. के. पेरिनडिया, अवर सचिव (कोंसलर)

MINISTRY OF EXTERNAL AFFAIRS

(CPV Division)

New Delhi, the 21st January, 2011

S. O. 479.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorize Shri Loknath Chatterjee, Embassy of India, Addis Ababa to perform the duties of Assistant Consular Officer with effect from 21st January, 2011.

[No. T. 4330/1/2006]

R. K. PERINDIA, Under Secy. (Consular)

स्वास्थ्य तथा परिवार कल्याण मंत्रालय

(स्वास्थ्य तथा परिवार कल्याण विभाग)

नई दिल्ली, 31 जनवरी, 2011

का.आ. 480.—केन्द्र सरकार, दंत चिकित्सा अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय दंत चिकित्सा परिषद से परामर्श करके, एतद्वारा उक्त अधिनियम की अनुसूची के भाग-I में निम्नलिखित संशोधन करती है नामतः:

2. क्रम सं. 56 के सामने कालम 2 एवं 3 की मौजूदा प्रविष्टियों में दंत चिकित्सा अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-I में, जो चौ. चरण सिंह विश्वविद्यालय, मेरठ द्वारा प्रदान दी गई दंत चिकित्सा डिग्रियों की मान्यता से संबंधित है, निम्नलिखित प्रविष्टियों को अंतर्विष्ट किया जाएगा, नामतः :—

“कृष्णा दंत चिकित्सा महाविद्यालय, गाजियाबाद (उत्तर प्रदेश)

(i) बैचलर ऑफ डेंटल सर्जरी

(यदि केवल शैक्षणिक सत्र 2005-06 के दौरान

प्रवेश हो गए बीडीएस के प्रथम बैच के छात्रों

को प्रदान की गई हो)

बीडीएस, चौ. चरण सिंह विश्वविद्यालय, मेरठ”

[सं. ची. 12017/22/2004-डीई]

अनीता त्रिपाठी, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health and Family Welfare)

New Delhi, the 31st January, 2011

S. O. 480.—In exercise of the powers conferred by sub-section (2) of section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby, makes the following amendments in Part-I of the schedule to the said Act, namely :—

2. In the existing entries of column 2 & 3 against Serial No. 56, in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Ch. Charan Singh University, Meerut, the following entries shall be inserted thereunder :—

"Krishna Dental College, Ghaziabad (Uttar Pradesh)"

① Bachelor of Dental Surgery
(if granted to the first batch of BDS
students admitted during the academic
session 2005-06 only) BDS, Ch. Charan Singh University, Meerut"

[No. V-12017/22/2004-DET]

ANITA TRIPATHI, Under Secy.

विद्युत मंत्रालय

नई दिल्ली, 3 फरवरी, 2011

का. आ. 481.—सार्वजनिक स्थल (अनधिकृत अधिभोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा-3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्र सरकार एतद्वारा निम्नलिखित तालिका के कॉलम सं. (1) में डल्लस्थित अधिकारियों को, उक्त अधिनियम के प्रयोजन के लिए भारत सरकार के राजपत्रित अधिकारी के समतुल्य पद पर संपदा अधिकारी नियुक्त करती है, जो उक्त तालिका के कॉलम संख्या (2) में विनिर्दिष्ट सार्वजनिक परिसरों से संबंधित अपने अधिकार क्षेत्र की सीमाओं के भीतर उक्त अधिनियम के द्वारा अथवा इसके अंतर्गत संपदा अधिकारी को दी गई शक्तियों का प्रयोग करेंगे तथा सौंपी गई ड्यूटी का निर्वहन करेंगे, अर्थात् :-

तालिका

क्र. सं.	अधिकारी का नाम और पदनाम	सार्वजनिक परिसरों की श्रेष्ठियां तथा अधिकार क्षेत्र की स्थानीय सीमा
1.	श्री जनार्दन प्रसाद पाल, वरिष्ठ प्रबंधक (योजना और प्रणाली), नेशनल थर्मल पावर कारपोरेशन लिमिटेड (एनटीपीसी लिमिटेड), तलाईपल्ली कोयला खनन परियोजना, जिला रायगढ़, छत्तीसगढ़।	नेशनल थर्मल पावर कारपोरेशन लिमिटेड (एनटीपीसी लिमिटेड) और इसकी तलाईपल्ली कोयला खनन परियोजना, गजानन्दपुरम, कोटरा थाना रोड, जिला-रायगढ़, पिनकोड-496001, छत्तीसगढ़ के प्रशासनिक नियंत्रण में आने वाले अथवा पट्टे पर लिए गए सभी परिसर।
2.	श्री राजीव रंजन, वरिष्ठ प्रबंधक (भूविज्ञान/योजना और प्रणाली) नेशनल थर्मल पावर कारपोरेशन लिमिटेड (एनटीपीसी लिमिटेड), दुलंगा कोयला खनन परियोजना, जिला सुन्दरगढ़, उड़ीसा।	नेशनल थर्मल पावर कारपोरेशन लिमिटेड (एनटीपीसी लिमिटेड) और इसकी दुलंगा कोयला खनन परियोजना, प्लॉट नं. 56/4664, श्रीकृष्ण विहार, जिला-सुन्दरगढ़, पिनकोड-770001 उड़ीसा के प्रशासनिक नियंत्रण में आने वाले अथवा पट्टे पर लिए गए सभी परिसर।

[फा.सं. ८/६/१९९२-धर्मल-१ (पार्ट-VIII)]

MINISTRY OF POWER

New Delhi, the 3rd February, 2011

S. O. 481.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the officers mentioned in column (1) of the following Table, being officers equivalent to the rank of Gazetted Officer of the Government, to be estate officers for the purposes of the said Act, who shall exercise the powers conferred and perform the duties imposed on the estate officer by or under the said Act, within the local limits of their respective jurisdiction in respect of the Public premises specified in column (2) of the said Table, namely :—

TABLE

Name and designation of officer (1)	Categories of Public premises and local limits of jurisdiction (2)
1. Shri Janardhan Prasad Pal, Senior Manager (Planning and System), National Thermal Power Corporation Limited (NTPC Limited), Talaipalli Coal Mining Project, District—Raigarh, Chhattisgarh.	All premises belonging to or taken on lease by National Thermal Power Corporation Limited (NTPC Limited) and under the administrative control of its Talaipalli Coal Mining Project, Gajanandpuram, Kotra Thana Road, District-Raigarh, Pincode—496001, Chhattisgarh.
2. Shri Rajeev Ranjan, Senior Manager (Geology/ Planning and System), National Thermal Power Corporation Limited (NTPC Limited), Dulanga Coal Mining Project, District—Sundergarh, Orissa.	All premises belonging to or taken on lease by National Thermal Power Corporation Limited (NTPC Limited) and under the administrative control of its Dulanga Coal Mining Project, Plot No. 56/4664, Srikrishna Vihar, District Sundergarh, Pincode-770001, Orissa

[F.No.8/6/1992-TH.I (Part-VIII)]
I. C. P. KESHARI, Jt. Secy.

कारपोरेट कार्य मंत्रालय

नई दिल्ली, 10 फरवरी, 2011

का. आ. 482.—केंद्र सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम, 10 के उप-नियम (4) के अनुसरण में कारपोरेट कार्य मंत्रालय के अंतर्गत कम्पनी रजिस्ट्रार कार्यालय, कोलकाता, जिसके न्यूनतम 80 प्रतिशत कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है।

[सं. ई. 11016/1/2010-हिंदी]
जे. एस. गुप्ता, अवर सचिव

MINISTRY OF CORPORATE AFFAIRS

New Delhi, the 10th February, 2011

S. O. 482.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Languages (Use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies the office of the Registrar of Companies, Kolkata as 80% of its staff have acquired working knowledge of Hindi.

[No.E-11016/1/2010-Hindi]
J. S. GUPTA, Under Secy.

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

नई दिल्ली, 12 अक्टूबर, 2010

का.आ. 483.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मारुति इंटरप्राइज 5, शिवाजी नगर, सावरकुण्डला, गुजरात-364515 द्वारा विनिर्मित मैकेनीकल काउंटर मशीन के मॉडल का, जिसके ब्रांड का नाम “मारुति” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/30 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल प्रिसिपल आफ मुर्मेंट्स आधारित मैकेनिकल काउंटर मशीन है जिसकी अधिकतम क्षमता 5 कि. ग्रा. है। इंडीकेशन एनालॉग प्रकार का है।



483

आकृति -1 मॉडल

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 कि. ग्रा., 2 कि.ग्रा., 5 कि.ग्रा., 10 कि. ग्रा., 20 कि. ग्रा., 25 कि. ग्रा., 30 कि. ग्रा., और 50 कि. ग्रा. तक की क्षमता में हैं।

[फा. सं. डब्ल्यू एम-21(26)/2010]
बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

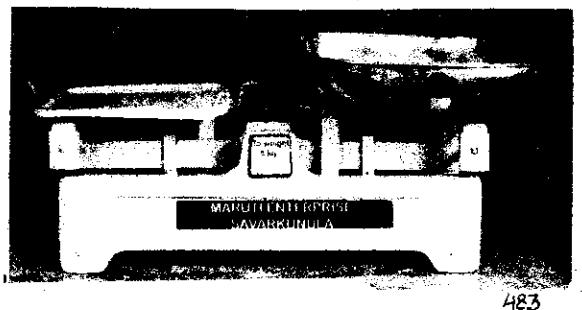
New Delhi, the 12th October, 2010

S.O. 483.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Mechanical Counter Machine with brand name "MARUTI" (hereinafter referred to as the said Model), manufactured by M/s Maruti Enterprise 5, Shivajinagar, Savarkundla Gujarat 364515 and which is assigned the approval mark IND/09/10/30;

The said model is Principle of Moments based Mechanical Counter Machine with a maximum capacity of 5 kg. The indication is of analogue type.

Figure-1Model



Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said, Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacities above 1 kg., 2 kg., 5 kg., 10 kg., 20 kg., 25 kg., 30 kg. & 50 kg. manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

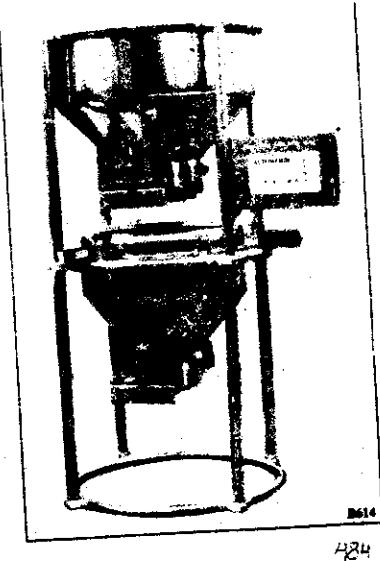
[F.No.WM-21/(26)/2010]
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 22 नवम्बर, 2010

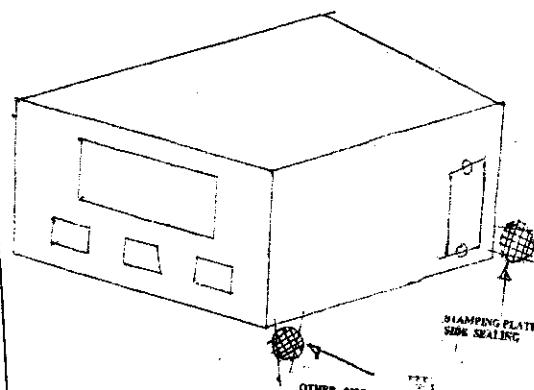
का.आ. 484.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बाट की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए मैसर्स पी. सी. इलेक्ट्रोनिक्स एण्ड सिस्टम, 3/सी, गोपी बोस सेन, दूसरा तल, कोलकाता-700012 द्वारा विनिर्मित यथार्थता-2 वाले “पीसीईएस” शृंखला के डिस्कटिन्युअस टोटलाइजिंग स्वचालित तोलन उपकरण (टोटलाइजिंग हूपर व्हीयर) अंकक सूचन सहित के मॉडल का, जिसके ब्रांड का नाम “आटो वे” है (जिसे इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/214 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित डिस्कटिन्युअस टोटलाइजिंग स्वचालित तोलन उपकरण (टोटलाइजिंग हूपर व्हीयर) है। इसकी अधिकतम क्षमता 20 कि. ग्रा. है और न्यूनतम क्षमता 500 ग्रा. है और मापमान अन्तराल (डी) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तिनात्मक धारित आधेयतुलन प्रभाव है। लिकियड क्रिस्टल डायोड (एल सी डी) तोलन परिणाम प्रदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रवाय पर कार्य करता है।



484



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्प्ले में से सीलिंग वायर निकाल कर सीलिंग की जाती है। ताकि सीलिंग के बाद सील हटाए बिना डिजीटर को खोला न जा सके। माडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के लिए 5 कि. ग्रा. से 200 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं डब्ल्यू एम-21(119)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 22nd November, 2010

S.O. 484.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby approves and issues the certificate of approval of the model of Discontinuous Totalizing Automatic weighing instrument (Totalizing Hopper Weigher) with digital indication of Accuracy class-2 of Series "PCES" and with brand name "AUTO WEIGH" (hereinafter referred to as the said Model), manufactured by M/s P.C. Electronics & Systems, 3/C, Gopi Bose Lane, 2nd Floor, Kolkata-700012 and which is assigned the approval mark IND/09/10/214;

The said model is a strain gauge type load cell based Discontinuous Totalizing Automatic weighing instrument (Totalizing Hopper Weigher) with a maximum capacity of 20 kg. and minimum capacity of 500 g. The scale interval (d) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The Liquid Crystal (LCD) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

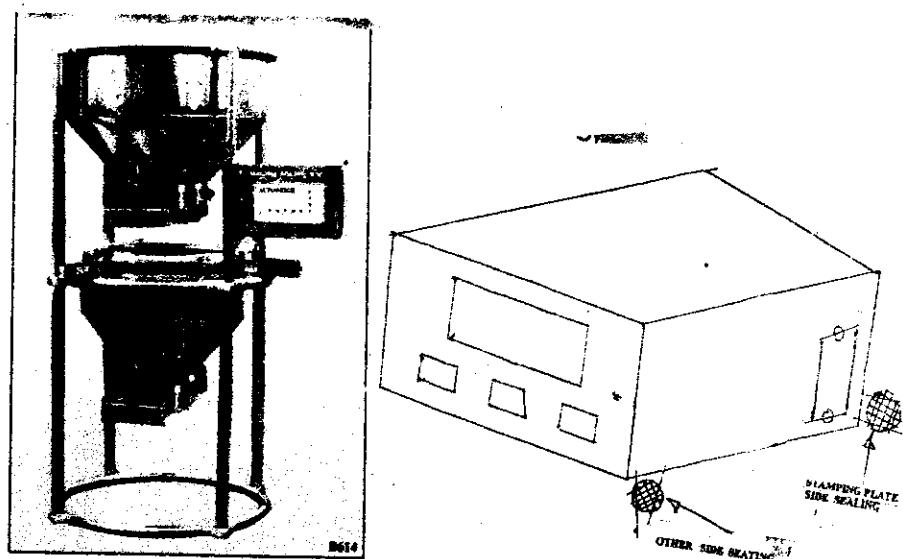


Figure-2 Schematic Diagram of sealing provision of the model

Sealing is done by passing the sealing wire through the display, so that after sealing digitizer can not be opened without removing seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said, Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacities in the range of 5 kg. to 200 kg. for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and materials with which, the said approved model has been manufactured.

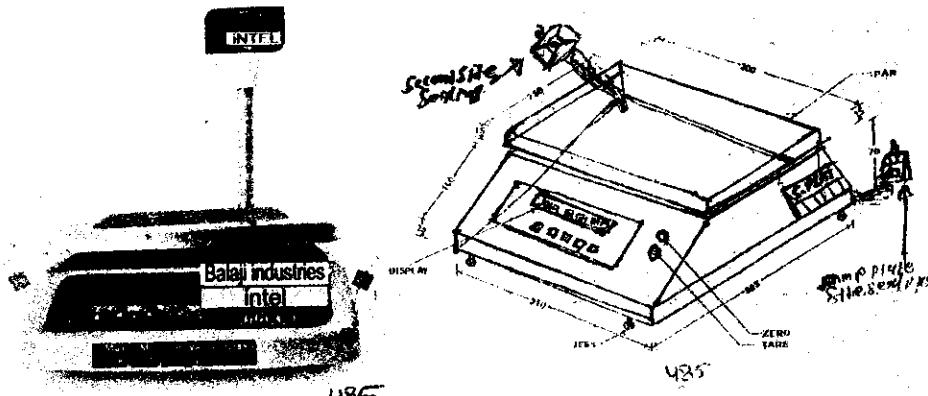
[F.No.WM-21(119)/2010]
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 21 जनवरी, 2011

का.आ. 485.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976(1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल स्थार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स बालाजी इंडस्ट्रीज आफ संघेदिया बाजार, सावरकुण्डला, गुजरात-364515 द्वारा मध्यम उच्च यथार्थता (यथार्थता वर्ग-III) वाले “एसटी 11” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रॉड का नाम “इनटैल” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/279 समनुदर्शित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 30 कि. ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तिनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

स्टाप्प और सील के सत्यापन के लिए बॉटम प्लेट, टॉप कवर और स्टार्मिंग प्लेट के होल में से ट्रिविस्टड सील वायर लीड सील के साथ निकाला गया है। सील के साथ छेड़छाड़ किए विना उपकरण को खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिङ्गेशन के लिए बाहरी पहुंच है। बाहरी केलिङ्गेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के “ई” मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^8 , 2×10^8 , 5×10^8 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(153)/2009]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 21st January, 2011

S.O. 485.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of medium accuracy (Accuracy class-III) of series "AST-11" and with brand name "INTEL" (hereinafter referred to as the said model), manufactured by M/s Balaji Industries Off.: Sanghediya Bazar, Savarkundla Gujarat-364515 which is assigned the approval mark IND/09/09/279;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30 kg. and minimum capacity of 100 g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1 Model

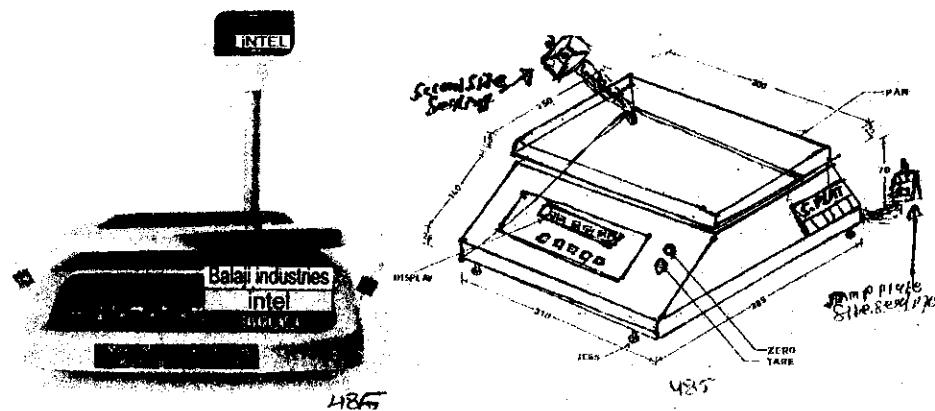


Figure-2 Schematic Diagram of sealing provision of the model

The weighing scale has sealing provisions with twisted steel wires passes through holes of bottom plate, top cover and stamping plate with lead seal for receiving the verification stamp and seal. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said, Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 10,000 kg. for 'e' value of 100mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

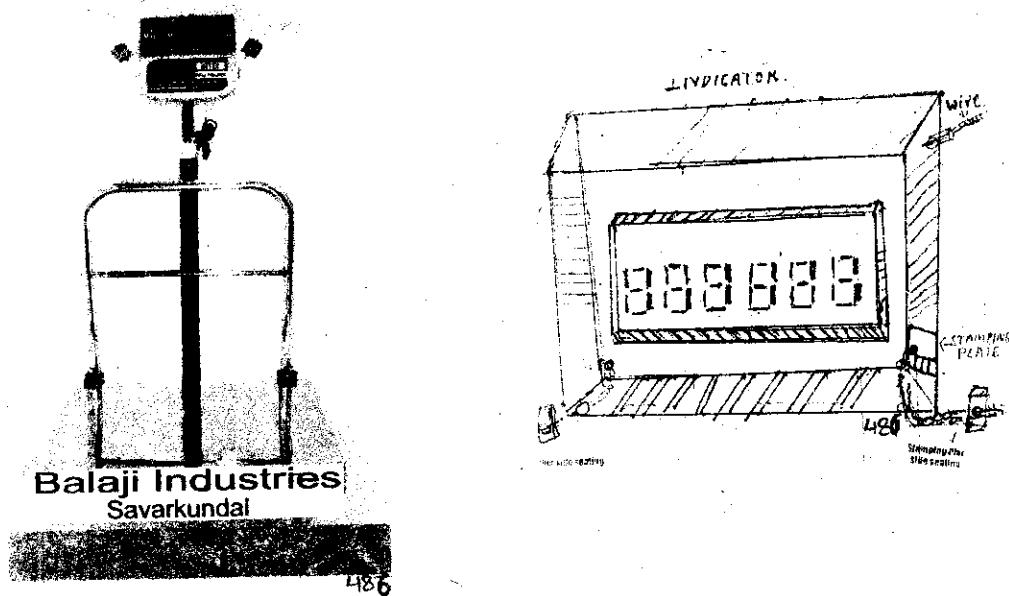
[F. No. WM-21/(153)/2009]
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 21 जनवरी, 2011

का.आ. 486.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा आट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उषबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स बालाजी इंडस्ट्रीज आफ संघेदिया बाजार, सावरकुण्डला, गुजरात-364515 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "बी।-पी III" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "इनटैल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/280 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. है और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ड्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति -2 मॉडल के सीलिंग प्रावधान का डायग्राम

कपटपूर्ण उपयोग को रोकने के लिए बाटम प्लेट, टॉप बाडी और स्टार्मिंग प्लेट में बनाए गए छेदों में से लीड बायर निकाल कर सीलिंग की जाती है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल के सीलिंग प्रावधान का स्कीमार डायग्राम ऊपर दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्लिच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्रके अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से 5000 कि. ग्रा. तक अधिकतम क्षमता वाले हैं और "ई" मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णक शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(153)/2009]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 21st January, 2011

S.O. 486.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of Series "BI-PIII" and with brand name "INTEL" (hereinafter referred to as the said Model), manufactured by M/s Balaji Industries Off.: Sanghediya Bazar, Savarkundla Gujarat-364515 which is assigned the approval mark IND/09/09/280;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000 kg. and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

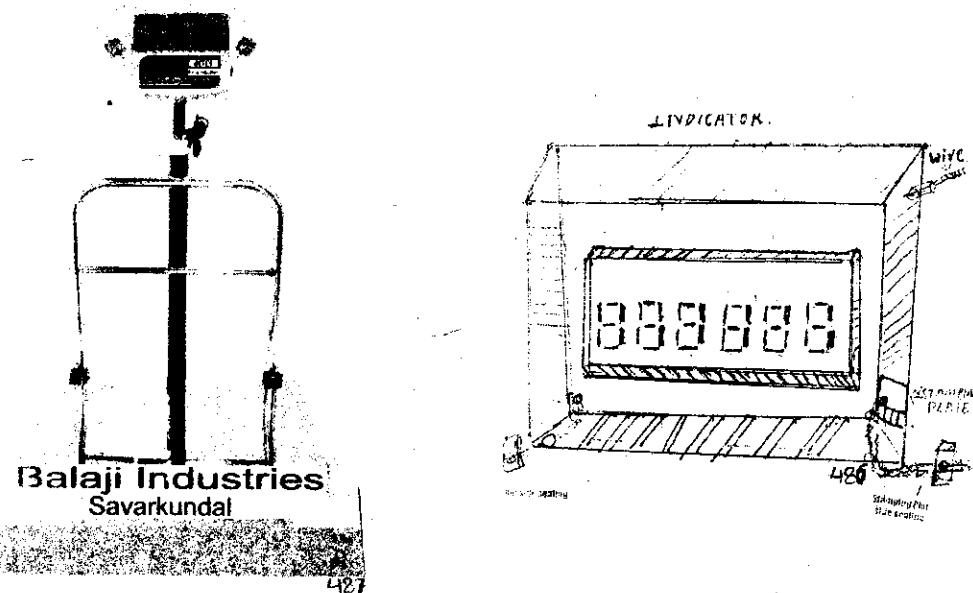


Figure-2 Sealing provision of the indicator of model

Sealing is done by passing lead wire through the holes made in the bottom plate, side cover and stamping plate with lead seal of the scale to avoid fraudulent use. The instrument can not be opened without tempering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said, Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. up to 5000kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21/(153)/2009]

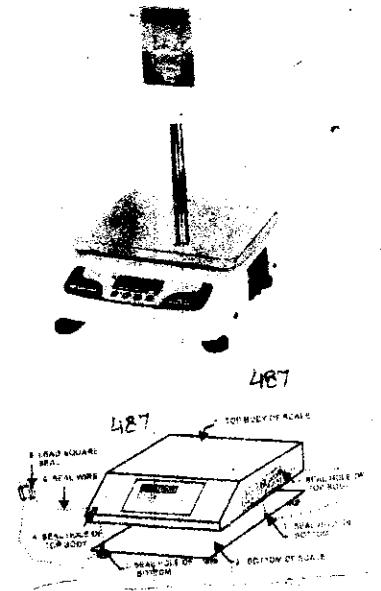
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 27 जनवरी, 2011

का,आ. 487.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स स्वामी इंटरप्राइज़िज़, सालासर रोड, सीकर, राजस्थान द्वारा मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एस.ई. 101" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके बांड का नाम "स्वामी डिज़ि" है (जिसे इसमें इसके पश्चात् आधिकारिक अनुमोदन सहित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है। उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/281 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 30 कि. ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अन्तराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति 2—मॉडल के सीलिंग प्रावधान का डायग्राम

कपटपूर्ण उपयोग को रोकने के लिए बाटम प्लेट, टॉप कवर और स्टार्टिंग प्लेट में बनाए गए छेदों में से लीड वायर निकाल कर सीलिंग की जाती है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल के सीलिंग प्रावधान का स्कोमबार डायग्राम ऊपर दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के दैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अन्तराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अन्तराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता अवधि के "ई" मान 1×10^4 , 2×10^4 , या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(158)/2009]
बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th January, 2011

S.O. 487.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of medium accuracy (Accuracy class-III) of Series "S.E.101" and with brand name "SWAMI DIGI" (hereinafter referred to as the said Model), manufactured by M/s. Swami Enterprises, Salasar Road, Sikar, Rajasthan which is assigned the approval mark IND/09/09/281;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30 kg and minimum capacity of 100 g. The verification scale interval (*e*) is 5 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

Figure-2

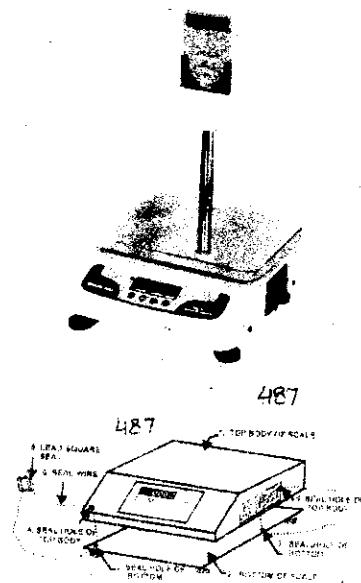


Figure 2—Schematic Diagram of sealing provision of the model

Sealing is done by passing lead wire through the holes made in the bottom plate, top body and stamping plate with lead seal of the scale to avoid fraudulent use. The instrument can not be opened without tempering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (*n*) in the range of 100 to 10,000 for '*e*' value of 100 mg. to 2 g. and with verification scale interval (*n*) in the range of 500 to 10,000 for '*e*' value of 5 g. or more and with '*e*' value of 1×10^k , 2×10^k or 5×10^k , where *k* is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(158)/2009]

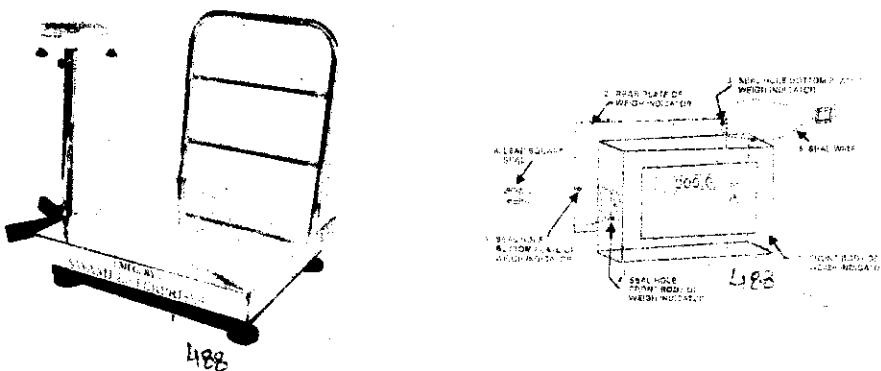
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 27 जनवरी, 2011

का.आ. 488.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स स्वामी इंटरप्राइज, सालासर रोड, सीकर, राजस्थान द्वारा विनिर्भित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एस.ई. 102" शून्खला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके बांड का नाम "स्वामी डिजि" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/282 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार से ले आधारित अस्वचालित तोलन उपकरण (स्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. है और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्टज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति 2-मॉडल के सीलिंग प्रावधान का डायग्राम

कपटपूर्ण उपयोग को रोकने के लिए फ्रेंट बाड़ी, रियर बाड़ी और स्टार्पिंग प्लेट में बनाए गए छेदों में से लीड वायर निकाल कर सीलिंग की जाती है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल के सिलिंग प्रावधान का स्कीमवार डायग्राम ऊपर दिया गया है।

उपकरण में बाहरी कलिब्रेशन तक पहुंच की सुविधा है। बाहरी कलिब्रेशन तक पहुंच को रोकने के लिए एडी कार्ड/मदर बोर्ड में डिपस्टिक्चर भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो घनात्मक या छवणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(158)/2009]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th January, 2011

S.O. 488.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Plateform type) with digital indication of medium accuracy (Accuracy class-III) of series "S.E. 102" and with brand name "SWAMI DIGI" (hereinafter referred to as the said Model), manufactured by M/s. Swami Enterprises, Salasar Road, Sikar, Rajasthan and which is assigned the approval mark IND/09/09/282;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Plateform type) with a maximum capacity of 1000 kg. and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

Figure 1—Model

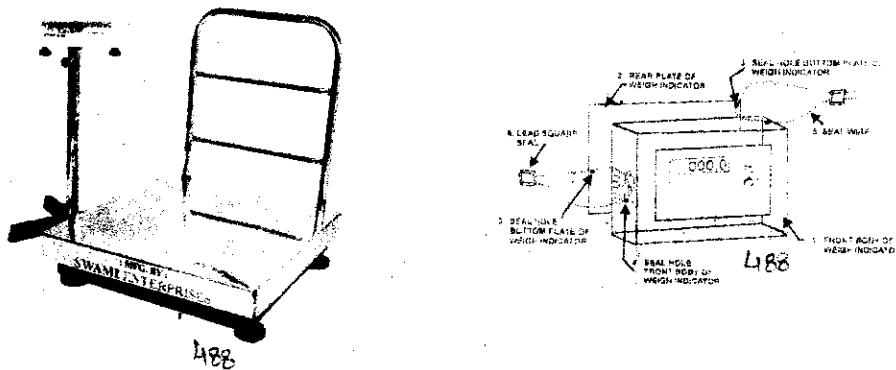


Figure 2—Sealing provision of the indicator of model

Sealing is done by passing lead wire through the holes made in the front body, rear body and stamping plate with lead seal of the scale to avoid fraudulent use. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg. up to 5000 kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(158)/2009]

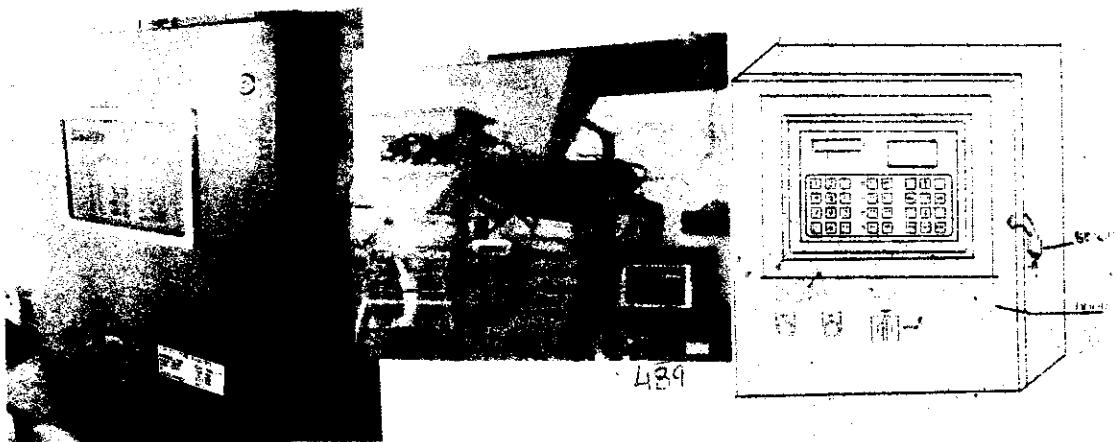
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 27 जनवरी, 2011

का.आ. 489.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सी.जे. इंडस्ट्रीज, 78/3/टी, मकरपुरा, जीआईडीसी, वडोदरा-390010 गुजरात (इंडिया) द्वारा विनिर्मित यथार्थता वर्ग X(1) वाले “सीजेआई-100-जीटी” शृंखला के स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण (ग्रोस टाइप) डिजिटल टाइप के मॉडल का, जिसके ब्रांड का नाम “सीजेआई” है (जिसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन विह आई एन डी/09/09/489 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण डिजिटल टाइप है। इसकी अधिकतम क्षमता 100 कि.ग्रा. है और न्यूनतम क्षमता 10 कि.ग्रा. मापमान अंतराल (ई) 10 ग्रा. सहित उत्पाद के मात्रा और प्रकार पर आधारित फिल्सरेट 6 फिल्स प्रति मिनट है। मशीन को फ्री फ्लोइंग, नॉन स्टिकी, नॉन डस्टी उत्पाद जैसे गेहूं, चाय आदि भरने के लिए डिजाइन किया गया है। उपकरण 230 वोल्ट और 50 हर्ड्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम सूचित करता है।



मॉडल के इंडिकेटर का सीलिंग प्रावधान

वेङ्ग इंडीकेटर को कपटपूर्ण व्यवहार के लिए खोले जाने से रोकने के लिए सीलिंग की जाती है। डिस्प्ले के बेस टॉप कवर में से सीलिंग बायर निकाल कर डिस्प्ले के दायीं तरफ सीलिंग की जाती है ताकि सीलिंग के बाद सील हटाए बिना डिजिटर को खोला नहीं जा सके। माडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए एडी कार्ड/मदर बोर्ड में डिप स्लिच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 10 कि.ग्रा. से 1 टन की क्षमता वाले हैं।

[फा. सं. डब्ल्यू एम-21(282)/2009]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th January, 2011

S.O. 489.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of Automatic Gravimetric Filling Instrument (Gross Type) of digital type belonging to Accuracy Class, X(1) of series "CJI-100-GT" and with brand name "CJI" (hereinafter referred to as the said Model), manufactured by M/s C.J Industries 78/3/T, Makarpura G.I.D.C. Vadodara-390010 Gujarat (India) and which is assigned the approval mark IND/09/09/489;

The said model is a strain gauge type load cell based Automatic Gravimetric Filling Instrument of digital type. It has the maximum capacity of 100 kg and minimum capacity of 10kg, with scale interval (e) is 10kg with its fillrate as 6 fills per minute depending upon the quantity and nature of the product. The machine is designed for filling the free flowing, non sticky, non-dusty products like wheat, tea etc. The instrument operates on 230 Volts and 50 Hertz alternative current power supply. The Light Emitting Diode (LED) indicates the weighing results.

Figure 1—Model

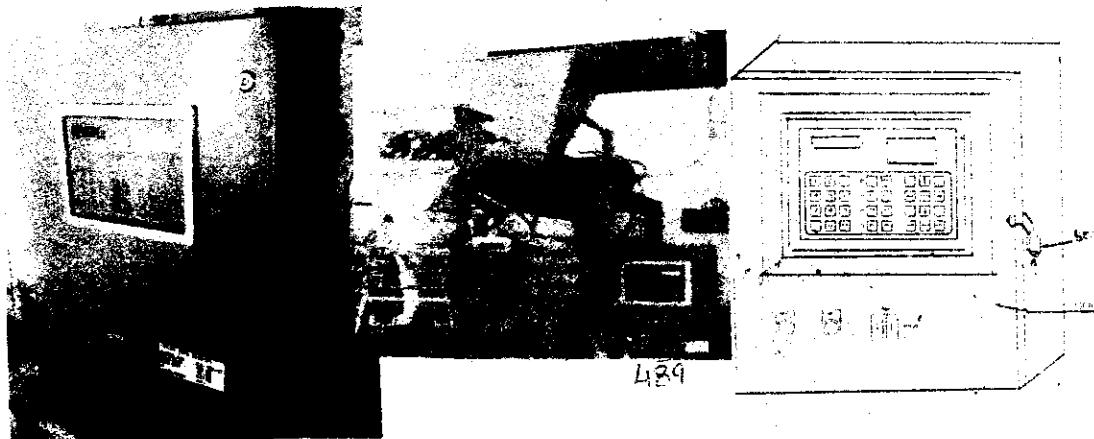


Figure 2—Sealing diagram of the sealing provision of the model

Sealing shall be done to prevent opening of the weighing machine for fraudulent practice. Sealing is done on right of the display by passing wire in base top cover of the display, so that after sealing digitizer cannot be opened without removing the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity in the range of 10 kg. to 1 tonne manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No.WM-21(282)/2009]
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 27 जनवरी, 2011

का.आ. 490.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

आतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सी.जे. इंडस्ट्रीज, 78/3/टी, मकरपुरा, जोआईडीसी, बडोदरा-390010 गुजरात (इडिया) द्वारा विनिर्मित यथार्थता वर्ग X(1) वाले "सीजेआई-100-एनटी" शृंखला के स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण (नेट टाइप) डिजिटल टाइप के मॉडल का, जिसके ब्रॉड का नाम "सीजेआई" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/490 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण डिजिटल टाइप है। इसकी अधिकतम क्षमता 100 कि.ग्रा. और न्यूनतम क्षमता 10 कि.ग्रा. मापमान अंतराल (ई) 10 ग्रा. सहित उत्पाद की मात्रा और प्रकार पर आधारित फिल्सरेट 6 फिल्स प्रति मिनट है। मशीन को फ्री फ्लोइंग, नॉन स्टिकी, नॉन डस्टी उत्पाद जैसे गेहूं, चान्दा आदि भरने के लिए डिजाइन किया गया है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम सूचित करता है।



मॉडल के इंडिकेटर का सीलिंग प्रावधान

वेइंग इंडीकेटर को कपटपूर्ण व्यवहार के लिए खोले जाने से रोकने के लिए सीलिंग की जाती है। डिस्प्ले के बेस टॉप कवर में से सीलिंग वायर निकाल कर डिस्प्ले के दायीं तरफ सीलिंग की जाती है ताकि सीलिंग के बाद सील हटाए बिना डिजिटर को नहीं खोला जा सके। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए.डी. कार्ड/मदर बोर्ड में डिप्रिव्व भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता, द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 10 कि.ग्रा. से 1 टन तक की क्षमता वाले हैं।

[फा. सं. डब्ल्यू एम-21(282)/2009]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th January, 2011

S.O. 490.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of Automatic Gravimetric Filling Instrument (Net Type) of digital type belonging to Accuracy Class, X(1) of series "CJI-100-NT" and of brand "CJI" (hereinafter referred to as the said model), manufactured by M/s. C. J. Industries 78/3/T, Makarpura G.I.D.C., Vadodara-390010 Gujarat (India) and which is assigned the approval mark IND/09/09/490;

The said model is a strain gauge type load cell based Automatic Gravimetric Filling Instrument of digital type. It has the maximum capacity of 100 kg and minimum capacity of 10kg. with scale interval (e) is 10kg with its fillrate as 6 fills per minute depending upon the quantity and nature of the product. The machine is designed for filling the free flowing, non sticky, non-dusty products like wheat, tea etc. The instrument operates on 230 Volts and 50 Hertz alternative current power supply. The Light Emitting Diode (LED) indicates the weighing results.

Figure 1—Model



Figure 2—Sealing diagram of the sealing provision of the model

Sealing shall be done to prevent opening of the weighing machin for fraudulent practice. Sealing is done on right of the display by passing wire in base top cover of the display, so that after sealing digitizer cannot be opened without removing the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity in the range of 10 kg to 1 tonne manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

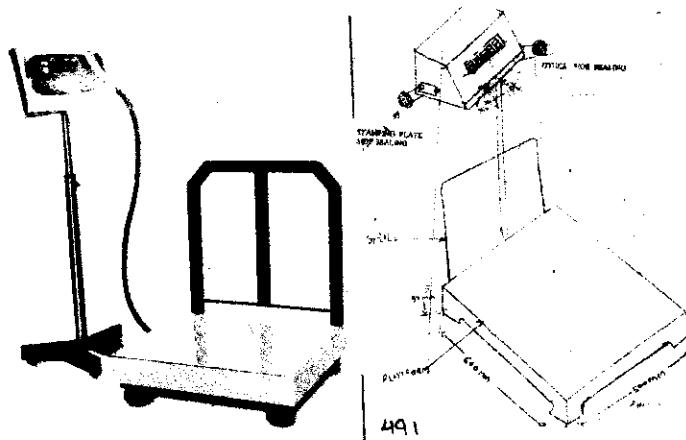
[F. No.WM-21(282)/2009]
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 27 जनवरी, 2011

का.आ. 491.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स इनसेफ इलैक्ट्रोनिक्स, यादव नगर कालोनी, कादिपुर शिवपुरी, बाराणसी (उत्तर प्रदेश) द्वारा विनिर्मित प्रथम यथार्थता (यथार्थता वर्ग III) वाले “ईएनपी 7” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम “इनसेफ” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/488 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 बोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति 2—मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

कपटपूर्ण व्यवहारों से वेइंग मशीन को खोले जाने से सीलिंग की जाती है। स्टार्टिंग के लिए स्केल की बाड़ी में से लीड सील के साथ सीलिंग बायर निकाल कर स्टार्टिंग प्लेट जोड़ी गई है। मॉडल के सीलिंग प्रावधान का स्कीमवार डायग्राम ऊपर दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही येक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू ऐम-21(276)/2009]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th January, 2011

S.O. 491.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of Medium Accuracy (Accuracy class-III) of series "ENP 7" and with brand name "ENSafe" (hereinafter referred to as the said model), manufactured by M/s. Ensafe Electronics, Yadav Nagar Colony, Kadipur Shivpuri, Varanasi (U.P.) which is assigned the approval mark IND/09/09/488;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000 kg. and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

Figure 1—Model

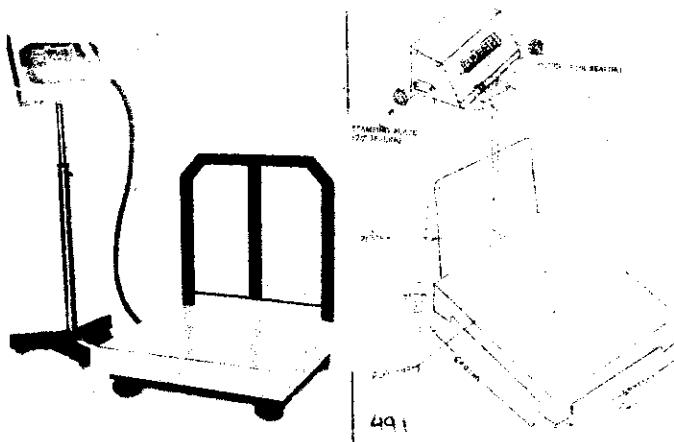


Figure-2 Schematic diagram of sealing provision of the model

Sealing shall be done to prevent opening of the weighing machine for fraudulent practice. Stamping plate is connected through sealing wire passing from the body of scale with the lead seal, to get the stamping. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg up to 5000 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

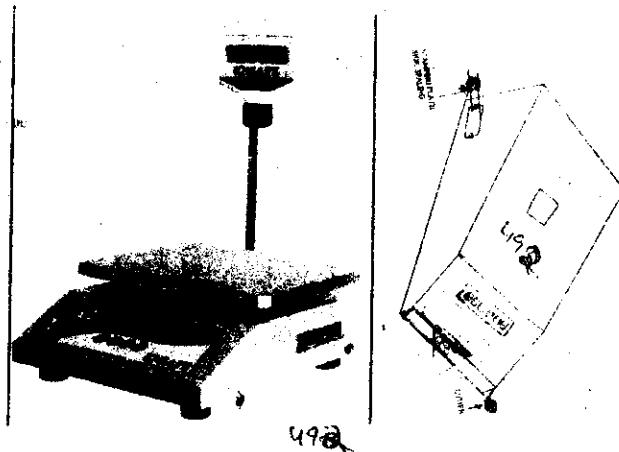
[F. No. WM-21(276)/2009]
B. N. DIXIT, Director of Legal Metrology

नई सिल्सी, 27 जनवरी, 2011

का.आ. 492.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स इन्सेफ इलैक्ट्रॉनिक्स, यादव नगर कालोनी, कादिपुर शिवपुरी, वाराणसी (उत्तरी प्रदेश) द्वारा उच्च यथार्थता (यथार्थता वर्ग II) वाले "ईएनटी 13" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "इन्सेफ" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/487 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 30 कि. ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तिनामक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

कपटपूर्ण व्यवहारों से बेझिंग मशीन को खोले जाने से सीलिंग की जाती है। स्टार्मिंग के लिए स्केल की बाढ़ी में से लीड सील के साथ सीलिंग वायर निकाल कर स्टार्मिंग प्लेट जोड़ी गई है। मॉडल के सीलिंग प्रावधान का स्कीमवार डायग्राम ऊपर दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनियोगी द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनियमित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^8 , 2×10^8 या 5×10^8 , के हैं, जो धनात्मक या ऋणात्मक पूणीक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(276)/2009]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th January, 2011

S.O. 492.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Tabletop type) with digital indication of High Accuracy (Accuracy class-II) of series "ENT 13" and with brand name "ENSAFE" (hereinafter referred to as the said model), manufactured by M/s Ensafe Electronics, Yadav Nagar Colony, Kadipur Shivpuri, Varanasi (U.P.) which is assigned the approval mark IND/09/09/487;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

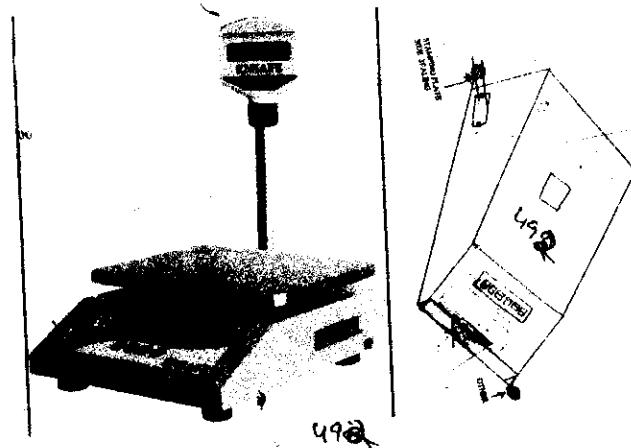


Figure-2 Schematic diagram of sealing provision of the model.

Sealing shall be done to prevent opening of the weighing machine for fraudulent practice. Stamping plate is connected through sealing wire passing from the body of scale with the lead seal, to get the stamping. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50kg. and with number of verification scale interval (n) in the range of 100 to 50,000 for ' e ' value of 1mg to 50mg and with number of verification scale interval (n) in the range of 5000 to 50,000 for ' e ' value of 100mg. or more and with ' e ' value 1×10^k , 2×10^k or 5×10^k , being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model has been manufactured.

[F. No. WM-21(276)/2009]

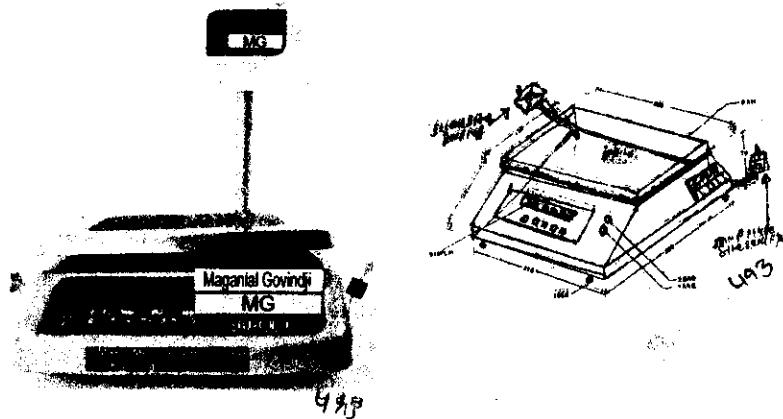
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 27 जनवरी, 2011

का.आ. 493.—केन्द्रीय सरकार का, विहित प्राक्षिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) आठ और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुकूल है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की भारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मगनलाल गोविंदजी, 12, श्रीजी नगर, सावरकुण्डला-364515, जिला अमरेली (गुजरात) द्वारा उच्च यथार्थता (यथार्थता वर्ग II) वाले “एमजी-टी III” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम “एमजी” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन फी/09/09/277 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार से ले आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 30 कि. ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाशी उत्तर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपरोक्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति 2—मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

तुला के दायीं तरफ दो बोरेड स्क्रू लीडिंग सीलिंग बायर से करने कर, स्टाई और सील के सत्यापन के लिए आउटर कवर और बाटम प्लेट के नीचे से निकाला गया है। इन छेदों में से लीडिंग बायर निकाल कर कसा गया है। बैंगिंग स्केल को सील तोड़े बिना खोला नहीं जा सकता। मॉडल को सीलबंद करने के उपबंध का एक प्रसूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी के केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए एडी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की भारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के बैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के “ई” मान के लिए 100 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो घनात्मक या ऋणात्मक पूर्णीक शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(125)/2009]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th January, 2011

S.O. 493.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of high accuracy (Accuracy class-III) of series "MG-TIII" and with brand name "MG" (hereinafter referred to as the said model), manufactured by M/s Maganlal Govindji, 12, Shreeji Nagar, Savarkundla-364515, Dist Amreli (Gujrat) which is assigned the approval mark IND/09/09/277;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

Figure-1 Model

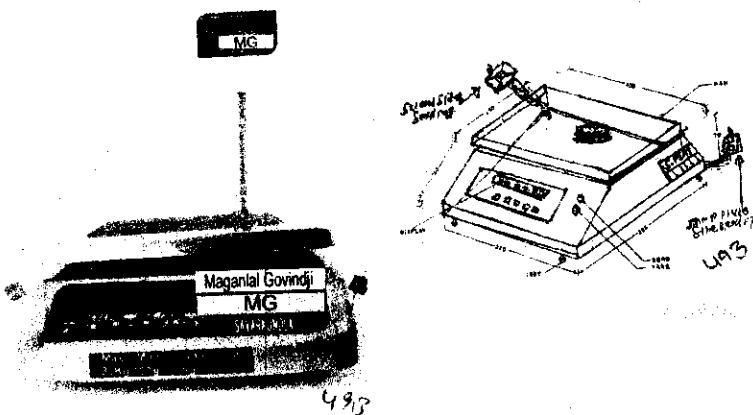


Figure-2 Schematic diagram of sealing provision of the model

On the right side of the balance, two bored screws are fastened by a leaded sealing wire, passing under the outer cover and bottom plate, for receiving stamp and seal. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (12) of section 36 of the said, Act the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg. with varification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg. to 2g. and with varification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

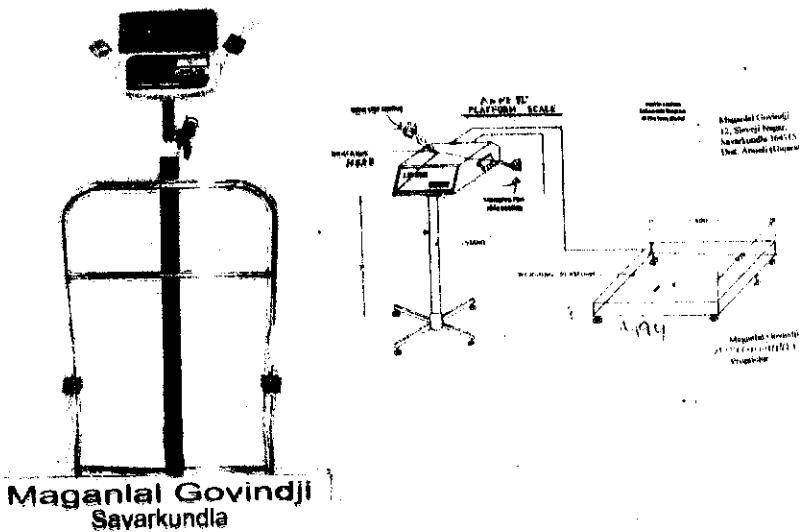
[F.No.WM-21/(125)/2009]
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 27 जनवरी, 2011

का.आ. 494.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपर्योग के अनुलेप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में इन्हें बताता सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स मगनलाल गोविन्दजी, 12, श्रीजी चार, सावरकुण्डला-364515, जिला अमरेली (गुजरात) द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “एमजी-भी III” शृंखला के अंकक सूचन सहित अस्वाचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम “एमजी” है (जिसे इसके बश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/278 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार स्त्रेल आधारित अस्वाचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. है और त्रूटी क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तिनामक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्डर्ज प्रत्यावर्ती धारा विद्युत प्रशाय पर कार्य करता है।



आकृति - 2 मॉडल के सीलिंग प्रावधान का डायग्राम

कपटपूर्ण उपयोग को रोकने के लिए सर्किट और मैकेनिकल असम्बेली की सुरक्षा के लिए स्टार्मिंग प्लेट पर दार्यों और लीड सील लगाई जाती है। उपकरण की बाढ़ी पर दिए गए छेदों के माध्यम से लीड और सील तार लगाकर सीलिंग की जाती है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। बॉड्जल के सीलिंग प्रावधान का स्कोमबार डायग्राम ऊपर दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए एडी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त बॉड्जल को अनुमोदन को इस प्रमाणपत्र के अंतर्गत उसी विनिर्माण द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित इसी शृंखला के बैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(125)/2009]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th January, 2011

S.O. 494.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Plateform type) with digital indication of medium accuracy (Accuracy class-III) of series "MG-PIIP" and with brand name "MG" (hereinafter referred to as the said model), manufactured by M/s Mangalal Govindji, 12, Shreeji Nagar, Savarkundla-364515, Dist Amreli (Gujrat) which is assigned the approval mark IND/09/09/278;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Plateform type) with a maximum capacity of 1000 kg and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

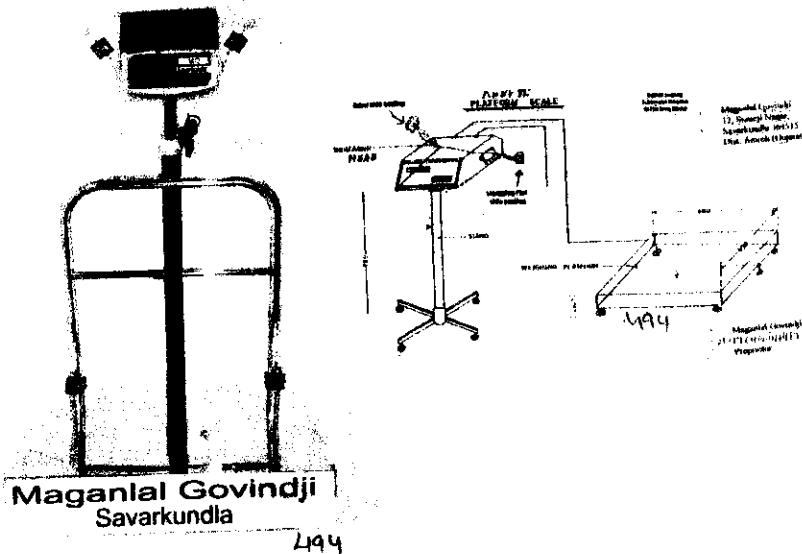


Figure-2 Sealing provision of the indicator of model

Lead seal is affixed on the right side of stamping plate for the security of circuit and mechanical assembly to avoid fraudulent use. Sealing can be done by applying lead & seal wire through the holes provided on the body of the instrument. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg upto 5000kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No.WM-21/(125)/2009]
B. N. DIXIT, Director of Legal Metrology

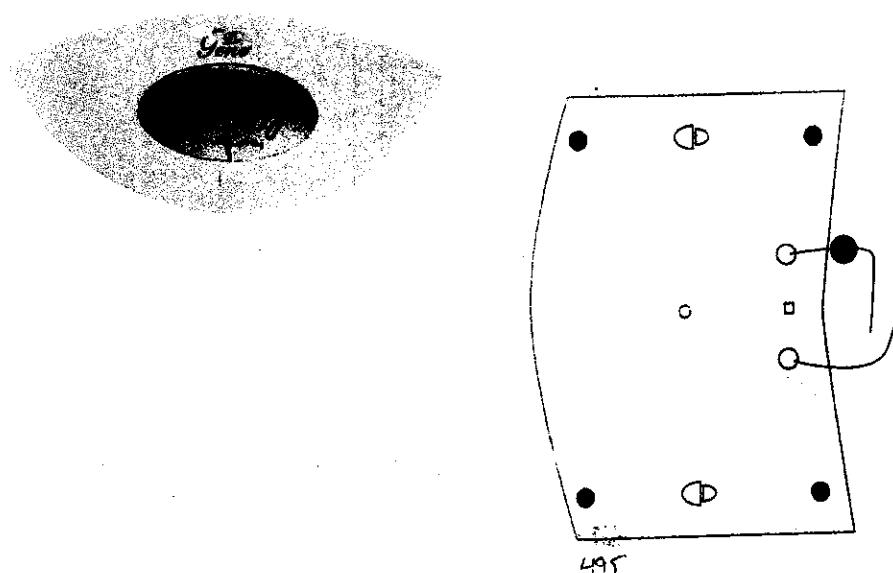
नई दिल्ली, 27 जनवरी, 2011

का.आ. 495.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैक्सस माइक्रो जीन, डायगनोस्टिक सिस्टम (प्रा.) लि., 806, विक्रम टावर, राजेन्द्र प्लेस, नई दिल्ली-110005 द्वारा विनिर्मित साधारण यथार्थता (यथार्थता वर्ग III) वाले “बीआर” शृंखला के अस्वचालित तोलन उपकरण (मैकेनीकल बाथरूम स्केल) के मॉडल का, जिसके ब्रांड का नाम “डा.जीन” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/243 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल स्थिग आधारित सिद्धांत का अस्वचालित तोलन उपकरण (मैकेनीकल बाथरूम स्केल) है। इसकी अधिकतम क्षमता 130 कि. ग्रा. है और न्यूनतम क्षमता 10 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 1 कि. ग्रा. है।

आकृति -1 मॉडल



495

445

आकृति -2

यहां पर स्टार्मिंग और सीसिंग प्लेट है जिसमें इंडिकेटर के पास सभी डिस्क्रिप्टिव मार्किंग स्थित हैं। इसके अतिरिक्त मॉडल की बाड़ी पर लीड और तार सील की सीलिंग व्यवस्था दी गई है जिसकी सीलिंग उपकरण की अव्यवस्था को पर्याप्त रूप से रोकती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनियोग द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनियोग किया गया है, विनिर्मित उसी शृंखला के बैस ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 200 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो घनात्मक या छृणात्मक पूणीक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एप-21(117)/2009]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th January, 2011

S.O. 495.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Mechanical Bathroom scale) of ordinary accuracy (Accuracy class-III) of series "BR" and with brand name "Dr. Gene" (hereinafter referred to as the said model), manufactured by M/s Microgene Diagnostic Systems (P) Ltd., 806, Vikram Tower, Rajendra Place, New Delhi-110005 and which is assigned the approval mark IND/09/09/243;

The said model is the principal of spring based non-automatic weighing instrument (Mechanical Bathroom scale) with a maximum capacity of 130 kg. and minimum capacity of 10kg. The verification scale interval (e) is 1kg.

Figure-1 Model

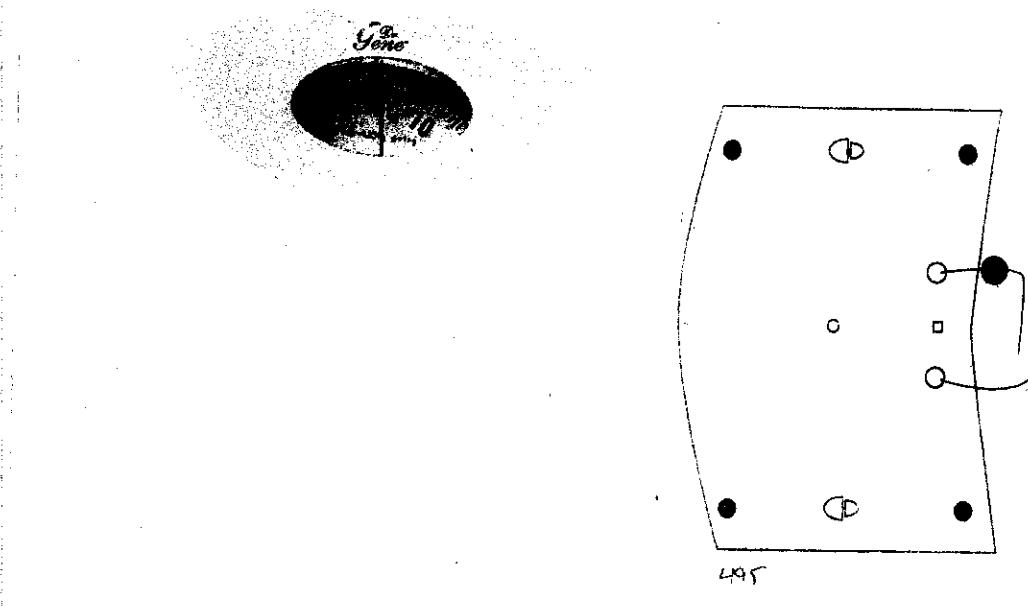


Figure-2 Sealing diagram of the sealing provision of the model

There is a stamping and sealing plate containing all the descriptive markings located near the indicator. In addition to that, a sealing arrangement with lead and wire seal is provided on the body of the model sealing of which can adequately prevent maladjustment of the instrument. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-section (12) of section 36 of the said, Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 200kg with verification scale interval (n) in the range of 100 to 1000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

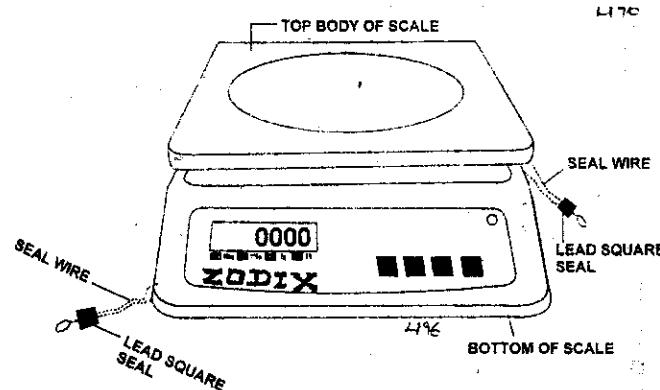
[F. No. WM-21/(117)/2009]
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 27 जनवरी, 2011

का.आ. 496.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा शक्तियों का प्रयोग करते हुए मैसर्स जोर्डिक्स बेइंग सोल्यूशन, ए-42/26, गुरुद्वारा रोड, दिलशाद गार्डन इंडस्ट्रियल एरिया शाहदरा, दिल्ली-95 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले “जेडडब्ल्यूएसटी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम “जोर्डिक्स” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन दिया आई एन डी/09/09/334 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति 2—मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

कपटपूर्ण उपयोग से बचने के लिए और स्केल की स्टार्मिंग के लिए, बेइंग इंडीकेटर की बाड़ी में से लीड सील के साथ लीड बायर निकाल कर सीलिंग की जाती है। सील से छेड़छाड़ किए बिना उपकरण को खोला नहीं जा सकता। मॉडल के सीलिंग प्रावधान का स्कीमवार डायग्राम ऊपर दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्लिच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के “ई” मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^8 , 2×10^8 और 5×10^8 , के हैं, जो धनात्मक या ऋणात्मक पूर्णक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(189)/2009]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th January, 2011

S.O. 496.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of High Accuracy (Accuracy class -II) of Series "ZWST" and with brand name "ZODIX" (hereinafter referred to as the said model), manufactured by M/s. Zodix Weighing Solutions, A-42/26, Gurudwara Road, Dilshad Garden Industrial Area, Shahdara, Delhi-95 which is assigned the approval mark IND/09/09/334;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity of 100 g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

Figure 1—Model

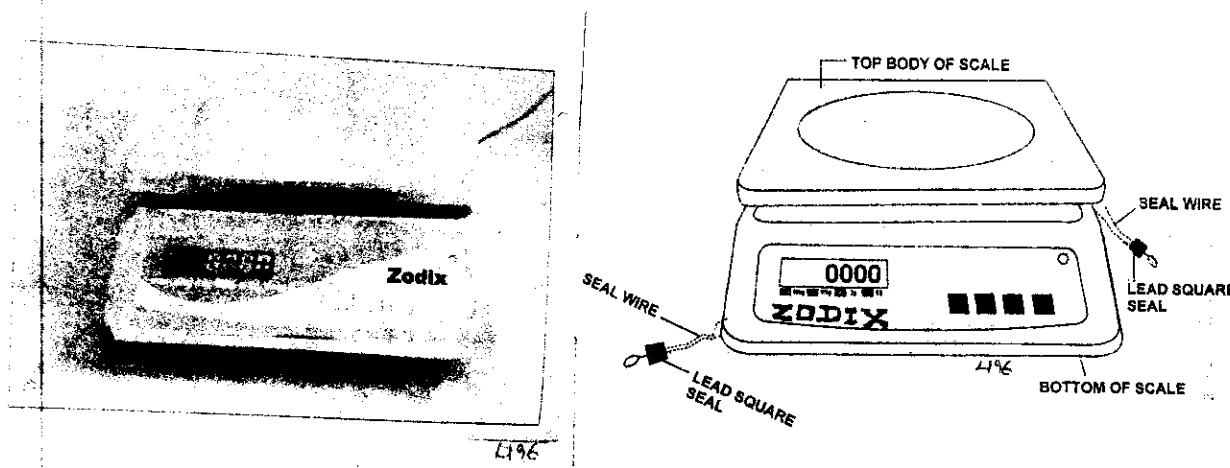


Figure 2—Schematic diagram of sealing provision of the model

Sealing is done by passing lead wire through the body of scale with the lead seal to get the stamping of the scale to avoid fraudulent use. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg. to 50 mg. and with verification scale interval (n) in the range of 500 to 50,000 for 'e' value of 100 mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

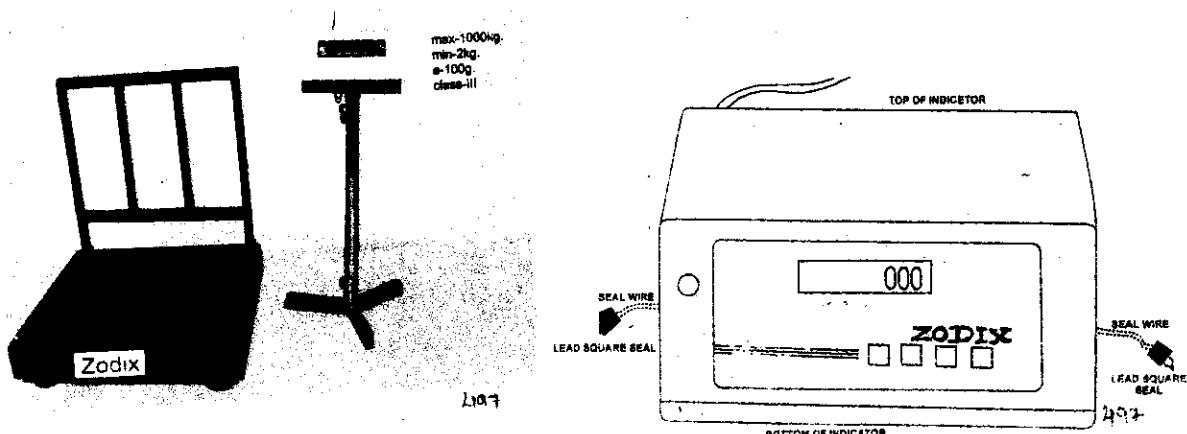
[F. No. WM-21(189)/2009]
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 27 जनवरी, 2011

का.आ. 497.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स जोडिक्स वेइंग सोल्यूशन, ए-42/26, गुरुद्वारा रोड, दिल्लाद गार्डन इंडस्ट्रियल एरिया, शाहदरा, दिल्ली-95 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “जेडब्ल्यूएसपी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम “जोडिक्स” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है), और जिसे अनुमोदन चिह्न आई एन डी/09/09/335 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति 2—मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

कपटपूर्ण उपयोग से बचने के लिए और स्केल की स्टार्टिंग के लिए, वेइंग इंडीकेटर की बाड़ी में से लीड सील के साथ लीड वायर निकाल कर सीलिंग की जाती है। सील से छेड़छाड़ किए बिना उपकरण को खोला नहीं जा सकता। मॉडल के सीलिंग प्रावधान का स्कीमवार डायग्राम ऊपर दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही भेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^3 , 2×10^3 , या 5×10^3 , के हैं, जो घनात्मक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(189)/2009]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th January, 2011

S.O. 497.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class -III) of Series "ZWSP" and with brand name "ZODIX" (hereinafter referred to as the said Model), manufactured by M/s. Zodix Weighing Solutions, A-42/26, Gurudwara Road, Dilshad Garden Industrial Area, Shahdara, Delhi-95 and which is assigned the approval mark IND/09/09/335;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000 kg. and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

Figure 1—Model

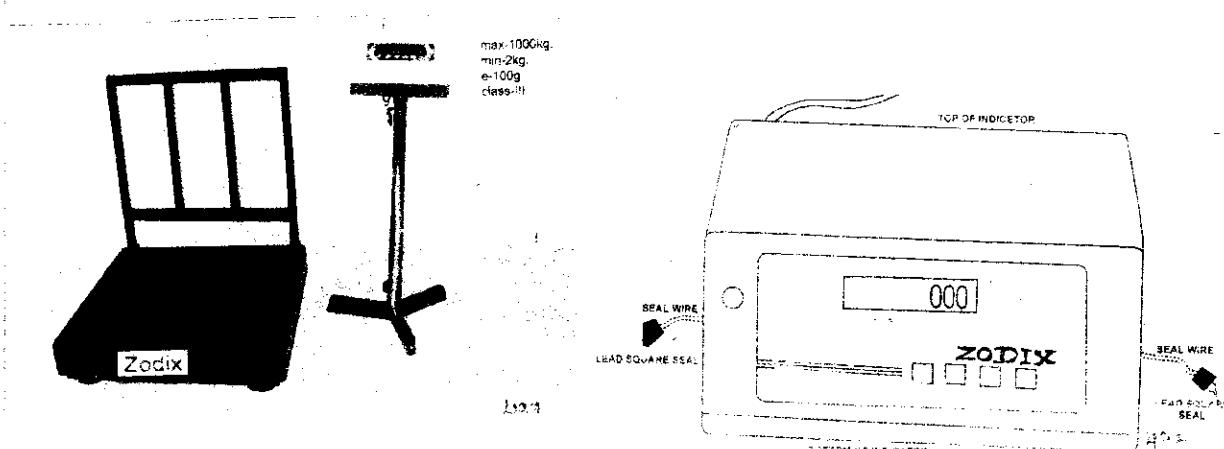


Figure 2—Sealing provision of the indicator of model

Sealing is done by passing lead wire through the body of the weight indicator with the lead seal to get the stamping of the seal to avoid fraudulent use. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

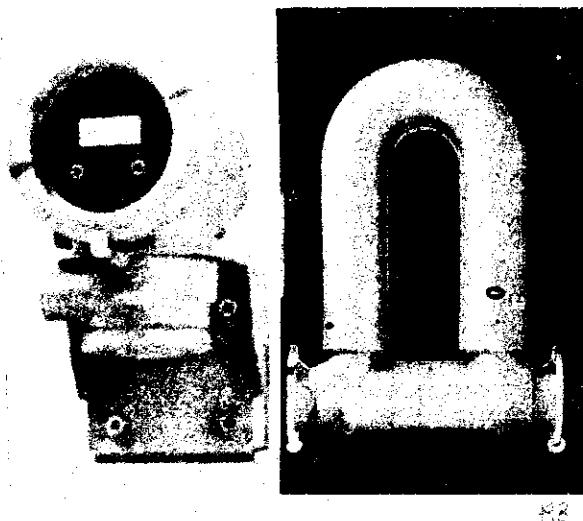
Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 50 kg. up to 5000 kg. with verification scale (n) in the range of 500 to 10,000 for ' e ' value of 5 g or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(189)/2009]
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 27 जनवरी, 2011

का.आ. 498.—केन्द्रीय सरकार का, विहित प्राधिकारी नीदरलैंड मीटिनस्ट्रूट (एन एम आई), नीदरलैंड द्वारा जारी मॉडल अनुमोदन प्रमाण पत्र के साथ उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976(1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (3) एवं उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स माइक्रो मोशन इन. 7070 विनचेस्टर सर्किल, बाउलडर, सीओ 80301, यू.एस.ए द्वारा विनिर्मित यथार्थता वर्ग 0.3 (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) बाले “सीएमएफएचसी३ विद एमबीडी 700” शृंखला के मापमान सेंसर (कोरिओलिस सेंसर) जिसे मापमान उपकरण के पार्ट के रूप में प्रयोग होता है जिसके ब्रांड का नाम “माइक्रो मोशन” है और जिसे भारत में मैसर्स एमरसन प्रोसेस ऐनेजमेंट (इंडिया) प्रा. लि., दूसरा तल, डी विंग, मार्डन मिल्ज कम्पाउंड, साने गुरुजी मार्ग, जकाब सर्किल, महालक्ष्मी, मुंबई-400 011 द्वारा विपणीत किया गया है और जिसे अनुमोदन चिह्न आई एन डी/13/09/318 समनुरेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।



५१४

आकृति

उक्त मॉडल एक इलेक्ट्रोनिक कोरिओलिस डाइरेक्ट मास फ्लो मीटर (कोरिओलिस सेंसर) है, जिसका उपयोग तेल और तेल उत्पाद, रसायन, पेय तरल पदार्थ, दबाव युक्त तरल गैस और हिमकारी लिकिव्हिस जो 450 और 2000 kg/m³ के बीच के घनत्व में हैं। उक्त मॉडल द्रव्यमान माप, तरल गदार्थों के घनत्व और वाल्यूम, जिनके मापमान की रेंज- 200° C/+200° C (द्रव्यमान माप) और -10° C/+ 50° C (वाल्यूम और घनत्व का माप) है, के लिए अनुमोदित किया गया है। इसके दो घटक हैं, एक मापमान सेंसर CMFxxx और इलेक्ट्रोनिक मिगनल प्रोसेसिंग यूनिट जिसे एमबीडी के नाम से जाना जाता है। इसके व्यास की रेंज 6 एमएम से 100एमएम में है। इसकी अधिकतम प्रवाह दर Qmas 22,000 kg./min है और न्यूनतम प्रवाह दर 36kg./min है। न्यूनतम मापमान मात्रा 0.5 कि.ग्रा. है। इसका परिवेश तापमान -25° C से +55° C है। अधिकतम परिचालन दबाव की रेंज 125 से 205 बार के बीच है। उपकरण 230 वोल्ट्स, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है। ओआईएमएल आर 117 के अनुसार माडल का परीक्षण किया गया है।

इलैक्ट्रोनिक प्रोसेसिंग यूनिट पासवर्ड से लॉक की जाती है और स्पेशल क्लोप जो कि एक स्क्रू द्वारा स्थान पर लगी है, जिसे स्टैंडर्ड लीड चायर सील से सील लगायी गई है, हाउसिंग के साथ सील किया गया है।

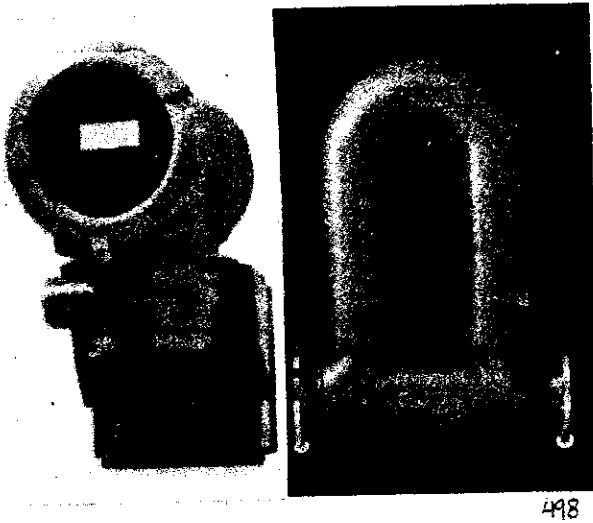
[फा. सं. डब्ल्यू एम-21(79)/2009]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 27th January, 2011

S.O. 498.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority along with the Model approval certificate issued by the Netherlands Meetinstituut (NMI), Netherlands, is satisfied that the model described in the said report (see the figure given below), is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by the third proviso to sub-section (3) and sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of model of a measurement sensor(Coriolis Sensor) intended to used as part of measuring instrument with brand name 'MICRO MOTION' and of series "CMFHC3 with MVD 700" series of accuracy class 0.3 (hereinafter referred to as the model), manufactured by M/s. Micro Motion Inc, 7070 Winchester Circle, Boulder, CO 80301, USA and marketed in India by M/s. Emerson Process Management (India) Pvt. Ltd., 2nd Floor, D-Wing, Modern Mills Compound, Sane Guruji Marg, Jacob Circle, Mahalakshmi, Mumbai-400 011 and which is assigned the approval mark IND/13/09/318.



Figure

The said model is an electronic coriolis direct mass flow meter (Coriolis Sensor) used for measurement of oil and oil products, chemicals, potable liquids, liquefied gases under pressure and cryogenic liquids with densities between 450 and 2000 kg./m³. The said model has also been approved for measuring mass, density and volume of liquids in the temperature range of -200°C/+200°C (measuring mass) and -10°C/+50°C (measuring volume and density). It consist of two components, a measurement sensor CMFxxx and electronic signal processing unit known as MVD. Its diameter is in the range of 6mm to 100mm. Its maximum flow rate Qmax is 22,000 kg./min and minimum flow rate is 36 kg./min. The minimum measured quantity is 0.5kg. The temperature range ambient is -25°C to +55°C. The maximum operating pressure is in the range 125 to 205 bar. The instruments operates on 230V, 50Hz alternative current power supply. It has been tested according to OIML R 117 specifications.

Electronic processing unit may be locked by password and also sealed along with housing accomplished with special sealing clamp that is held in place by a screw that can be sealed by standard lead wire seal.

[F. No. WM-21 (79)/2009]

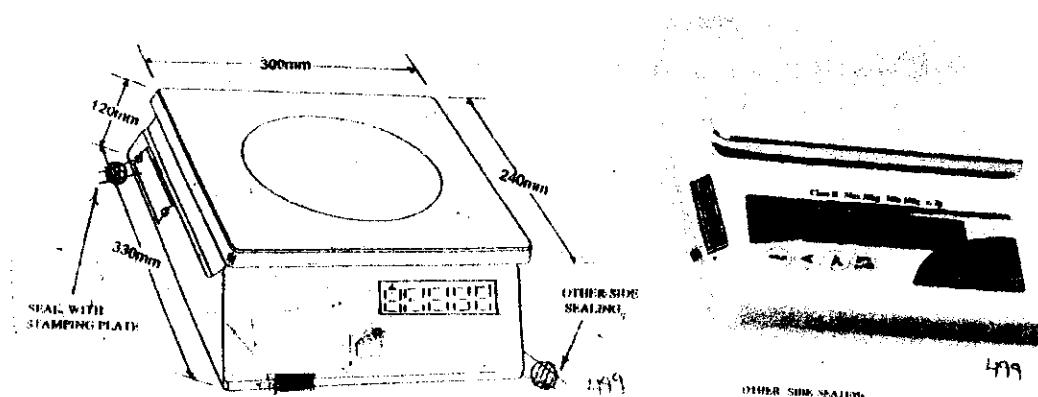
B. N. DIXIT, Director, Legal Metrology

नई दिल्ली, 28 जनवरी, 2011

का.आ. 499.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स डिजी-टेक सिस्टम्स, आर.एच-14, बिमल इन्कलेच, वास तालाब के पास, रायपुर (छत्तीसगढ़) द्वारा उच्च यथार्थता (यथार्थता वर्ग-II) वाले “ईएसजे” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटैप टाइप) के मॉडल का, जिसके ब्रांड का नाम “ईएस डिजीकॉम” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/09/310 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटैप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. है और न्यूतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (एन) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति 2—मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

कपटपूर्ण व्यवहारों से बचने के लिए स्टार्टिंग प्लेट पर सीलिंग प्वाइंट लगाया गया है। वेझंग मशीन को कपटपूर्ण व्यवहार के लिए खोले जाने से रोकने के लिए सीलिंग की जाती है। स्टार्टिंग के लिए लीड सील के साथ स्केल की बाढ़ी में से सीलिंग बायर निकाल कर स्टार्टिंग प्लेट से जोड़ गया है। उपकरण को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। मॉडल के सीलिंग प्रावधान का स्कीमवार डायग्राम ऊपर दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए एची कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी साप्रगी से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के “ई” मान के लिए 100 से 50,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो घनात्मक या त्रिमात्रिक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(177)/2009]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 28th January, 2011

S.O. 499.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of high accuracy (Accuracy class-II) of series "ESJ" and with brand name "ESS DIGICOM" (hereinafter referred to as the said model), manufactured by M/s. Digi-Tech Systems, R.H.-14, Bimal Enclave, Nr Vas Talab, Raipur (C.G) which is assigned the approval mark IND/09/09/310.

The said model is a strain gauge type load cell based non-automatic weighing instrument (Tabletop type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure 1—Model

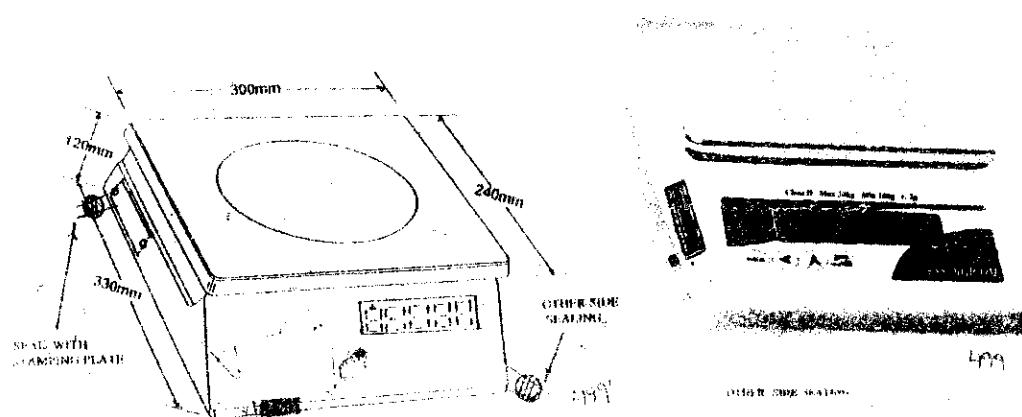


Figure 2—Schematic diagram of sealing provision of the model

Sealing point is affixed on the stamping plate to avoid the fraudulent uses. Sealing shall also be done to prevent opening of the weighing machine for fraudulent practice. The stamping plate is connected through sealing wire passing from the body of scale lead seal to get stamping. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section(12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50kg. with verification scale interval (n) in the range of 100 to 50,000 for ' e ' value of 1mg. to 50mg. and with verification scale interval (n) in the range of 500 to 50,000 for ' e ' value of 100mg. or more and with ' e ' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (177)/2009]

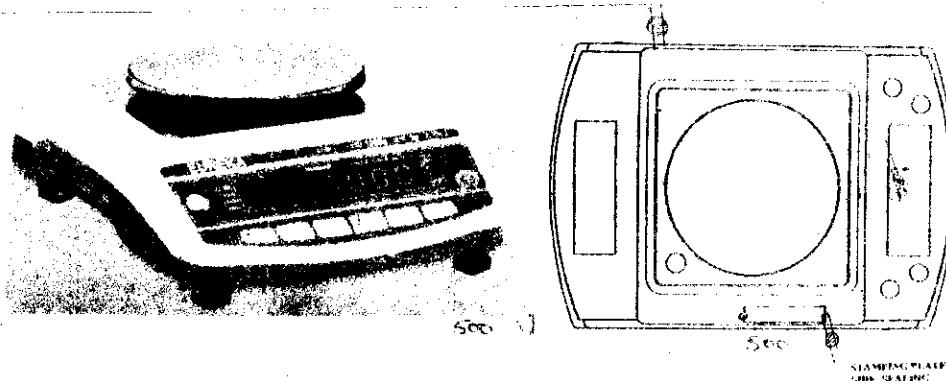
B. N. DIXIT, Director, Legal Metrology

नई दिल्ली, 31 जनवरी, 2011

का,आ. 500.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बाट की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स यूरेका वेइंग सिस्टम प्रा.लि., 101, आचार्य इंड. एस्टेट, तेजपाल कंपाउंड, नियर लथिया रबर, साकीनाका, अंधेरी (ई.), मुंबई-400072 द्वारा विनिर्मित विशेष यथार्थता (यथार्थता वर्ग-I) वाले “ईडब्ल्यूएम-10” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटॉप टाइप) के मॉडल का, जिसके ब्रांड का नाम “यूरेका” है (जिसे इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/397 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक इलैक्ट्रो मैग्नेटिक फोर्स कम्पन्सेशन प्रिंसिपल पर आधारित अस्वचालित तोलन उपकरण (टेबलटॉप प्रकार) है। इसकी अधिकतम क्षमता 1000 ग्रा. है और न्यूनतम क्षमता 1 ग्रा. है। सत्यापन मापमान अन्तराल (ई) 10 मि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तिनात्मक धरित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्प्ले की बाड़ी में से सीलिंग वायर निकाल कर सीलिंग की गई है। डिस्प्ले की बेस प्लेट और टाप कवर के छेद से सील को जोड़ा गया है, तब सील वायर इन दोनों छेदों में से निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. या इससे अधिक के “ई” मान के लिए $50,000$ या उससे अधिक के रेज में सत्यापन मापमान अन्तराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^8 , 2×10^8 , 5×10^8 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(246)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 31st January, 2011

S.O. 500.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of Special Accuracy (Accuracy class-I) of series "EWM-10" and with brand name "EUREKA" (hereinafter referred to as the said model), manufactured by M/s Eureka Weighing System Pvt Ltd, 101, Acharya Ind. Estate, Tejpal Compound, Nr. Lathia Rubber, Sakinaka, Andheri (E), Mumbai-400072 and which is assigned the approval mark IND/09/10/397;

The said model is a Electro Magnetic Force Compensation Principle based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 1000g. and minimum capacity of 1g. The verification scale interval (e) is 10mg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) Display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure 1

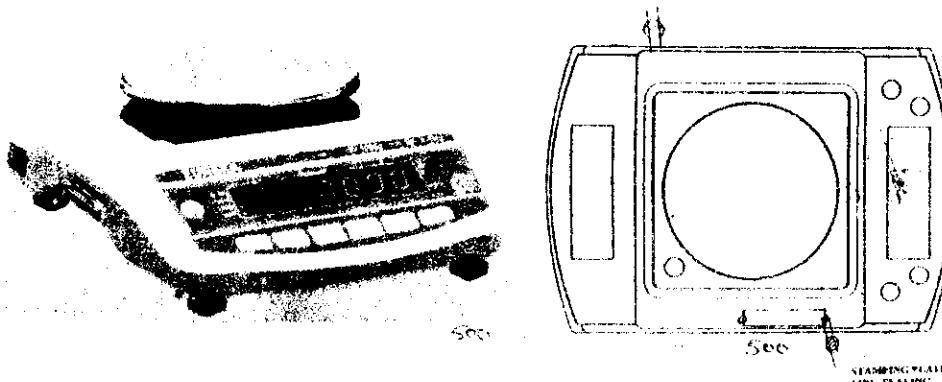


Figure-2 Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate & top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section(12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg. with verification scale interval (n) in the range of 50000 or more for 'e' value of 1mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (246)/2010]

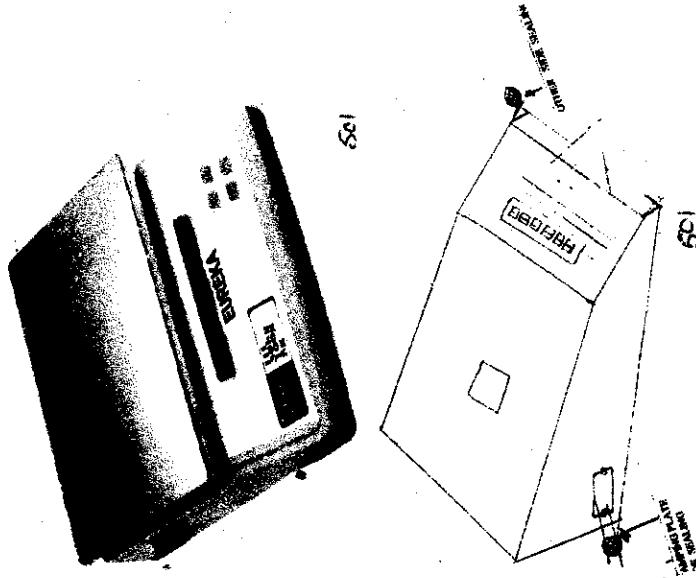
B. N. DIXIT, Director, Legal Metrology

नई दिल्ली, 31 जनवरी, 2011

का, आ. 501.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बाट की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स यूरेका वेइंग सिस्टम प्रा.लि., 101, आचार्य इंड. एस्टेट, तेजपाल कंपाउंड, नियर लक्ष्मी रोड, साकीनाका, अंधेरी (ई), मुंबई-400072 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “इडब्ल्यूटीटी-11” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम “यूरेका” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/398 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 30 कि. ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शात प्रतिशत व्यक्तिनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्प्ले की बाढ़ी में से सीलिंग वायर निकाल कर सीलिंग की गई है। डिस्प्ले की बेस प्लेट और टाप कवर के छेद से सील का जोड़ा गया है, तब सील वायर इन दोनों छेदों में से निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्रूफी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे। 1 मि.ग्रा. से 2 ग्रा. तक के “ई” मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^8 , 2×10^8 , 5×10^8 , के हैं, जो धनात्मक या शृंखलात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं डब्ल्यू एम-21(246)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 31st January, 2011

S.O. 501.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of Medium Accuracy (Accuracy class-III) of series "EWTT-11" and with brand name "EUREKA" (hereinafter referred to as the said model), manufactured by M/s Eureka Weighing System Pvt. Ltd., 101, Acharya Ind. Estate, Tejpal Compound, Nr. Lathia Rubber, Sakinaka, Andheri (E), Mumbai-400072 and which is assigned the approval mark IND/09/10/398;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (*e*) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) Display indicates the weighing result. The instrument operates on 230V olts, 50Hertz alternative current power supply.

Figure 1

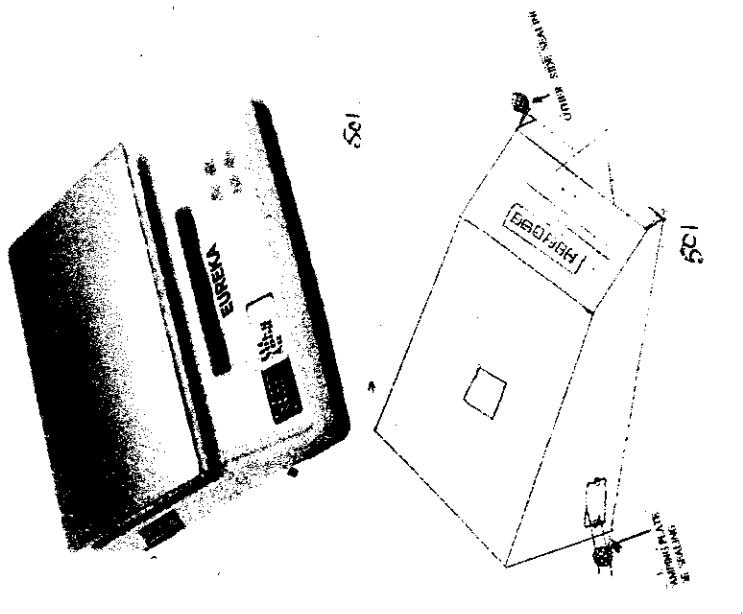


Figure 2 Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate & top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in AID card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section(12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg. with verification scale interval (*n*) in the range of 100 to 10,000 for '*e*' value of 1mg to 2g. and with verification scale interval (*n*) in the range of 5000 to 10,000 for '*e*' value of 5g. or more and with '*e*' value of 1×10^k , 2×10^k or 5×10^k , where *k* is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (246)/2010]

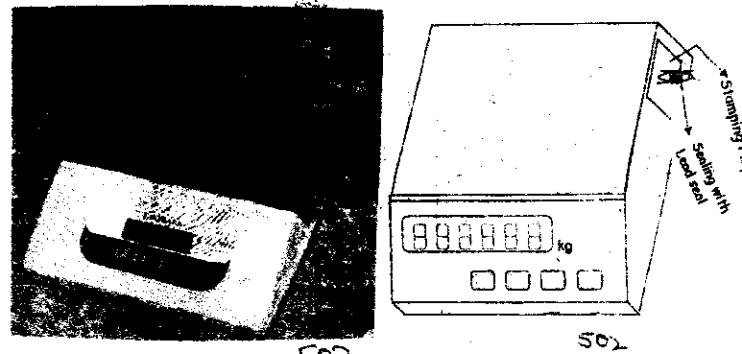
B. N. DIXIT, Director, Legal Metrology

नई दिल्ली, 31 जनवरी, 2011

का,आ. 502.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स विकटोरियस इंजीनियरिंग वर्क्स, इंडस्ट्रियल एरिया, पाटनवा, रामगढ़, चन्दौली-जिला, उत्तर प्रदेश द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “बीईटी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम “फास्ट्रेक” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/282 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 30 कि. ग्रा. है और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति -2 उपकरण के मॉडल का सीरिंग प्रावधान

स्केल की बाढ़ी के होल्स में से सीरिंग बायर निकाल कर सीरिंग की जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम ऊपर दिया गया है।

बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे। जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(184)/2010]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

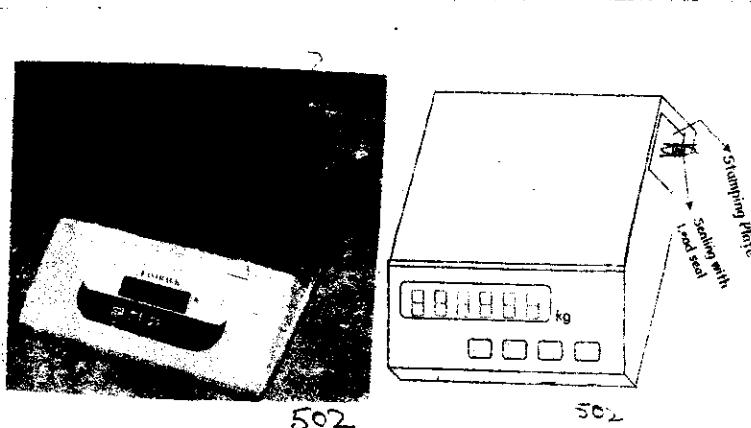
New Delhi, the 31st January, 2011

S.O. 502.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of Medium Accuracy (Accuracy class-III) of series "VET" and with brand name "FASTRACK" (hereinafter referred to as the said model), manufactured by M/s Victorious Engineering Works, Industrial Area, Patanwa, Ramnagar, Chandauli-Distt. U.P. and which is assigned the approval mark IND/09/10/282;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) Display indicates the weighing result. The instrument operates on 230V olts, 50Hertz alternative current power supply.

Figure 1



Figure—2 Schematic Diagram of sealing provision of the model

Sealing is done by passing the sealing wire from the body of the scale through holes. A typical schematic diagram of sealing provision of the model is given above.

A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 1mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (184)/2010]

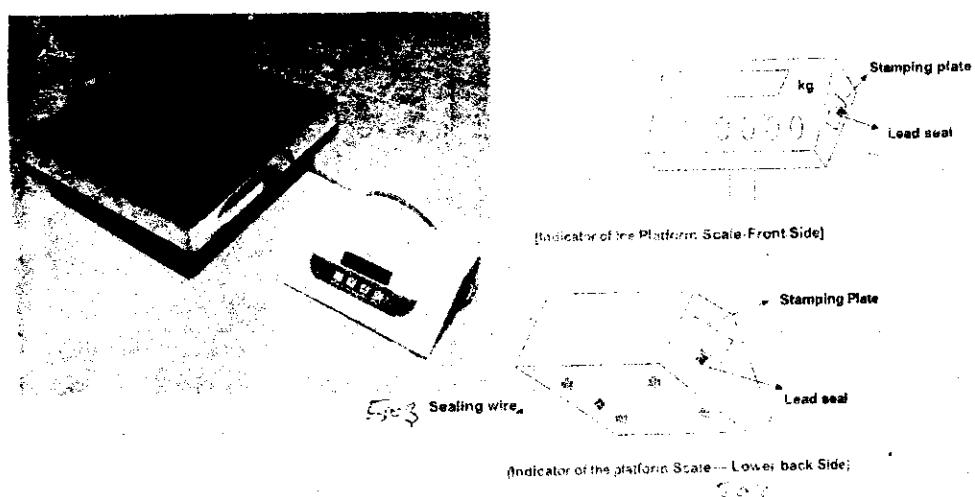
B. N. DIXIT, Director, Legal Metrology

नई दिल्ली, 31 जनवरी, 2011

का.आ. 503.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बाट की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स विकटोरियस इंजीनियरिंग वर्क्स, इंडस्ट्रियल एरिया, पाटनवा, रामनगर, चन्दौली-जिला, उत्तर प्रदेश द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “बीईपी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम “फास्ट्रेक” है (जिसे इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/10/283 समनुदर्शित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 200 कि. ग्रा. है और न्यूनतम क्षमता 1 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 50 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तिनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपर्युक्त करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति -2 उपकरण के मॉडल का सीरिंग प्रावधान

स्केल की बाढ़ी के होल्स में से सीरिंग वायर निकाल कर सीरिंग की जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपर दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे। जो 1 मि. ग्रा. से 2 ग्रा. तक के “ई” मान के लिए 100 से 10,000 तक की रेंज में सत्यापन अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^4 , 2×10^4 , 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(184)/2010]
बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 31st January, 2011

S.O. 503.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Plateform type) with digital indication of Medium Accuracy (Accuracy class-III) of series "VEP" and with brand name "FASTRACK" (hereinafter referred to as the said model), manufactured by M/s. Victorious Engineering Works, Industrial Area, Patanwa, Ramnagar, Chandauli-Distt. U.P. and which is assigned the approval mark IND/09/10/283;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Plateform Type) with a maximum capacity of 200kg. and minimum capacity of 1 kg. The verification scale interval (e) is 50g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) Display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure 1

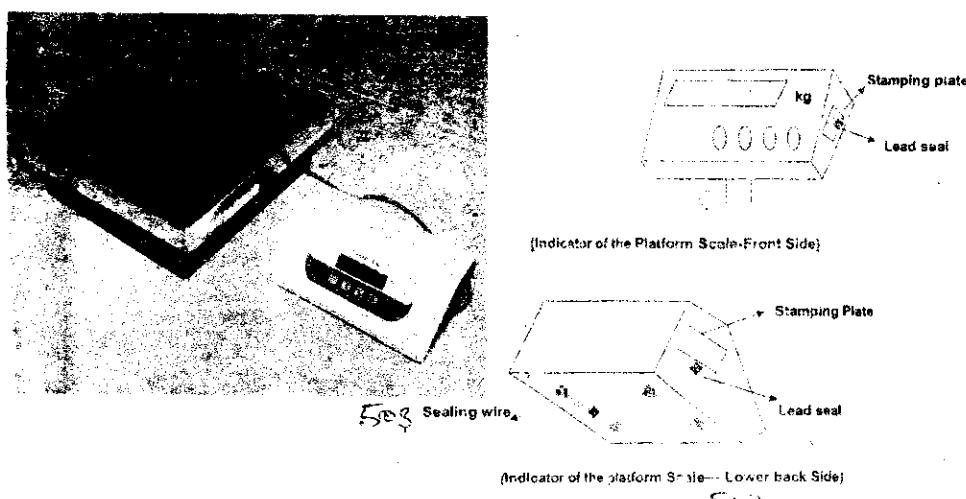


Figure 2 Schematic Diagram of sealing provision of the model

Sealing is done by passing the sealing wire from the body of the scale through holes. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-section (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg. and up to 5000 kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21 (184)/2010]

B. N. DIXIT, Director of Legal Metrology

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 10 फरवरी, 2011

का. आ. 504.—भारत सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि मैसर्स रिलाएन्स इंडस्ट्रीज लिमिटेड के आन्ध्र प्रदेश में पूर्वी तट पर ऑनशोर टरमिनल से देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए, मैसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा काकीनाडा - बासुदेवपुर - हावड़ा पाइपलाइन विछाई जानी चाहिए ;

और, भारत सरकार को उक्त पाइपलाइन विछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि, उस भूमि में, जिसके भीतर उक्त पाइपलाइन विछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपावन्धु अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए ;

अतः, अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के आपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितवन्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन जारी की गई अधिसूचना की प्रतियों साथारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन विछाई जाने के लिए उपायोग के अधिकार के अर्जन के संबंध में श्री भास्कर त्रिपाठी, सक्षम प्राधिकारी, रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड, प्रथम मंजिल, फोर्चुन टावर, चन्द्रशेखरपुर, भुवनेश्वर - 751023, ओडिशा राज्य को लिखित रूप में आक्षेप भेज सकेगा ।

अनुसूची

मंडल/ तेहसिल/ तालुक :अठागढ़	जिला :कटक	राज्य : ओडिशा		
		आर.ओ.यू. अर्जित करने के लिए क्षेत्रफल		
		हेक्टेयर	एयर	सि एयर
1	2	3	4	5
1) सुकसना (आरक्षित वन)	सकसना (आरक्षित वन)	00	80	00
2) बेंटापाड़ा	3011	00	35	73
	3010	00	79	48
3) बेतखोली	346	00	00	50
	345	00	07	00
	344	00	13	20
	343	00	11	08
	342	00	12	77
	231	00	16	27
	341	00	01	57
	229	00	11	97
	226	00	35	02
	227	00	30	54
	38	00	02	01
	211	00	00	67
	93	00	34	07
	89	00	04	53
	94	00	00	54
	75	00	01	17

1	2	3	4	5
3) बेतखोली (निरंतर)	76	00	01	59
	78	00	01	87
	74	00	01	82
	77	00	02	17
	79	00	01	73
	73	00	02	96
	80	00	08	63
	340	00	00	10
	320	00	01	70
	सर्वे सं 320 और 68 के बीच में	00	00	49
	68	00	01	18
	159	00	00	61
	160	00	04	09
	161	00	00	93
	158	00	05	24
	162	00	09	16
	163	00	00	10
	157	00	00	60
	148	00	01	40
	147	00	02	70
	149	00	03	17
	150	00	02	20
	151	00	00	14
	146	00	10	75
	180	00	07	69
	212	00	01	84
	202	00	13	47
	204	00	05	85
	203	00	08	09
	सर्वे सं 203 और 205 के बीच में	00	01	10
	205	00	19	11
	270	00	03	91
4) गरियापट	383	00	04	05
	384	00	02	51
	380	00	01	98
	357	00	00	10
	322	00	09	93
	321	00	11	73
	329	00	02	06
	320	00	18	30
	349	00	02	37
	331	00	02	67
	405	00	03	73
	332	00	03	74
	333	00	00	56
	334	00	02	45
	335	00	00	96
	338	00	00	22

1	2	3	4	5
4) गरियापट (निरंतर)	339	00	00	10
	184	00	01	47
	181	00	09	64
	182	00	02	85
	180	00	06	02
	176	00	07	35
	177	00	01	35
	175	00	02	58
	173	00	17	68
	174	00	01	11
	171	00	00	89
	170	00	11	09
	169	00	06	18
5) राजनगर	1091	00	06	99
	1090	00	04	57
	1089	00	01	22
	1088	00	00	14
	1092	00	02	73
	1093	00	00	46
	1094	00	10	19
	1095	00	03	05
	1096	00	02	12
	1097	00	04	58
	1099	00	02	72
	1100	00	08	24
	1102	00	09	81
	1101	00	00	82
	1104	00	07	90
	1107	00	02	45
	1080	00	01	13
	1105	00	05	64
	1106	00	03	66
	1131	00	02	72
	1128	00	00	42
	1130	00	03	07
	1132	00	01	10
	1133	00	00	10
	1129	00	08	51
	1141	00	05	25
	1142	00	04	47
	1140	00	00	62
	1143	00	11	90
	1144	00	05	85
	1145	00	05	06
	1146	00	00	20

1	2	3	4	5
6) गोकुलपुर	1112	00	05	97
	347	00	10	52
	351	00	00	10
	350	00	00	89
	349	00	02	44
	348	00	05	69
	367	00	00	16
	1184	00	00	70
	414	00	04	52
	413	00	08	53
	412	00	08	20
	428	00	00	10
	411	00	04	26
	430	00	01	87
	431	00	04	54
	403	00	07	26
	404	00	01	81
	402	00	00	92
	401	00	03	88
	400	00	06	13
	433	00	07	61
	461	00	04	89
	462	00	03	66
	463	00	05	20
	464	00	05	52
	465	00	01	77
	466	00	00	17
	470	00	07	38
	471	00	05	92
	472	00	00	10
	469	00	03	00
	1241	00	06	17
	450	00	00	80
	9	00	02	79
	1138	00	03	69
	479	00	00	12
	478	00	22	48
	481	00	00	10
	482	00	00	20
	299	00	17	57
	298	00	15	11
	795	00	02	36
	1092	00	10	15
	537	00	18	32
	536	00	11	32

1	2	3	4	5
6) गोकुलपुर (निरंतर)	531	00	02	05
	535	00	00	49
	532	00	14	90
	533	00	02	05
	530	00	09	75
	545	00	05	78
	546	00	05	89
	525	00	09	62
	1178	00	00	97
	524	00	10	58
	523	00	04	40
	521	00	01	71
	514	00	09	41
	515	00	00	96
	512	00	05	64
	1154	00	04	98
	511	00	06	55
	510	00	07	38
	508	00	05	74
	504	00	01	83
7) राधानगर	461	00	20	59
	460	00	00	32
	462	00	02	50
	463	00	05	15
	466	00	03	08
	464	00	18	32
	459	00	00	35
	465	00	04	06
	458	00	14	41
	445	00	00	10
	471	00	10	63
8) माहाकालबस्त	1814	00	04	42
	1812	00	06	22
	1813	00	10	15
	1811	00	01	45
	1810	00	01	47
	1809	00	02	37
	1808	00	02	88
	1807	00	03	61
	1806	00	02	43

1	2	3	4	5
8) माहाकालवस्त (निरंतर)	1805	00	01	24
	1804	00	03	63
	1803	00	02	85
	1802	00	02	25
	1801	00	01	85
	1799	00	01	28
	1798	00	05	00
	1793	00	01	49
	1797	00	02	15
	1794	00	01	60
	1795	00	01	43
	1791	00	03	02
	1790	00	01	83
	1787	00	03	28
	1785	00	02	27
	1783	00	02	60
	1782	00	03	25
	1777	00	08	80
	1776	00	03	39
	1751	00	06	66
	1750	00	03	26
	1749	00	02	84
	1746	00	01	79
	1817	00	31	02
	1822	00	34	37
	1820	00	01	21
	1818	00	35	47
	1819	00	05	51
	1961	00	83	44
	1962	00	47	72
	1279	00	38	39
	1963	00	71	65
9) राधाधामपुर	113	00	13	06
	154	00	32	86
	161	00	01	69
	117	00	06	22
	118	00	13	48
	157	00	01	38
	152	00	01	73
	121	00	04	30

1	2	3	4	5
9) राधाघाटपुर (निरंतर)	120	00	00	10
	122	00	07	21
	162	00	04	51
	146	01	01	26
	143	00	28	44
मंडल/ तेहसिल/ तालुक :टंगी चौडवार	जिला :कटक	राज्य :ओडिशा		
1) माहलपडा	6	00	00	43
	7	00	00	45
	8	00	00	70
	13	00	05	60
	17	00	00	59
	29	00	00	30
	34	00	00	80
	33	00	11	04
	35	00	00	10
	32	00	00	27
	36	00	14	67
	52	00	06	75
	51	00	01	66
	53	00	00	12
	50	00	01	12
	57	00	03	51
	87	00	01	79
	88	00	07	99
	89	00	09	38
	90	00	00	34
	142	00	22	15
	130	00	00	10
	141	00	04	83
	147	00	05	18
	140	00	01	71
	150	00	00	85
	149	00	02	46
	148	00	00	10
	151	00	00	10
	170	00	01	17
	216	00	13	59
	218	00	03	72
	219	00	00	10
2) गोपीनाथपाडा	235	00	05	40
	234	00	03	80

1	2	3	4	5
2) गोपीनाथपाण्डा (निरंतर)	233	00	10	83
	213	00	19	70
	212	00	07	75
	211	00	00	10
	210	00	08	14
	209	00	11	40
	244	00	00	10
	198	00	04	72
	245	00	09	15
	199	00	02	30
	201	00	00	31
	200	00	02	76
	197	00	01	61
	196	00	00	55
	186	00	00	64
	185	00	02	96
	184	00	08	86
	183	00	09	95
	181	00	01	57
3) कखड़ी	185	00	07	02
	186	00	00	63
	184	00	11	42
	187	00	00	98
	183	00	03	54
	182	00	05	04
	181	00	00	15
	173	00	09	84
	170	00	16	15
	2030	00	00	73
	171	00	05	75
	172	00	05	68
	174	00	02	43
	139	00	00	10
	138	00	10	05
	137	00	05	45
	136	00	05	12
	130	00	07	23
	135	00	02	74
	133	00	00	10
	131	00	06	54

1	2	3	4	5
3) कछड़ी (निरंतर)	129 128 107 106 108 115 114 109 110 113 102 101 111 112 59 सर्वे नं 59 और गाँव सीमा ब्रह्मना बस्ता	00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00	07 00 02 00 11 00 03 01 06 03 03 02 03 00 04 11	06 75 93 45 13 10 04 27 44 26 21 98 01 52 72 43
4) कोठिलानीगन	1082 1083 1105 1084 1086 1087 1091 1090	00 00 00 00 00 00 00 00	02 10 03 09 32 49 00 13	46 01 02 95 04 95 14 47
5) रमनाथप्रसाद	335 334 333 338 339 322 342 343 383 379 381 380 377 376 370 828	00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00	03 16 19 05 12 05 00 03 10 15 01 14 03 06 15 13	69 96 07 76 34 22 36 91 76 72 06 59 73 69 96 37

1	2	3	4	5
5) रमनाथप्रसाद (निरंतर)	438	00	10	08
	445	00	12	64
	443	00	29	22
	498	00	18	34
	499	00	04	40
	865	00	07	92
	880	00	04	54
	881	00	03	54
	882	00	05	66
	883	00	01	15
	879	00	12	36
	519	00	00	33
	521	00	00	10
	495	00	13	69
	525	00	02	96
	869	00	00	33
	526	00	02	32
	527	00	07	27
	528	00	09	64
	529	00	15	46
	598	00	12	61
	597	00	02	85
	897	00	00	10
	596	00	04	88
	595	00	05	08
	593	00	06	99
	592	00	07	68
	580	00	02	73
	581	00	01	75
	582	00	25	41
	575	00	07	54
	574	00	10	02
	583	00	00	10
	573	00	06	27
	567	00	16	43
	565	00	09	81
	568	00	00	80
	564	00	02	08
	563	00	07	67
	561	00	23	96

1	2	3	4	5
5) रघुनाथप्रसाद (निरंतर)	562	00	01	96
	856	00	04	70
6) बगधारा	136	00	00	44
	147	00	00	60
	146	00	04	00
	150	00	00	42
	144	00	14	15
	143	00	02	49
	145	00	09	23
	140	00	08	67
	142	00	07	90
	175	00	00	61
	176	00	01	12
	141	00	06	07
	177	00	03	70
	178	00	00	49
	179	00	10	66
	180	00	01	66
	181	00	10	75
	182	00	01	61
	107	00	00	33
	106	00	03	84
	87	00	10	39
	78	00	28	47
	88	00	02	74
	220	00	11	85
	76	00	04	10
	77	00	03	63
	52	00	12	60
	44	00	01	34
	45	00	06	35
	46	00	10	25
	47	00	01	86
	48	00	06	84
7) मंगराजपुर	39	00	00	19
	40	00	00	73
	49	00	01	92
	48	00	01	69
	43	00	03	43
	44	00	11	12

1	2	3	4	5
7) मंगराजपुर (निरंतर)	42	00	00	94
	33	00	02	19
	31	00	08	24
	30	00	01	00
	59	00	06	99
	58	00	12	36
	95	00	00	53
	93	00	00	91
	60	00	03	46
	92	00	06	13
	61	00	02	06
	80	00	04	93
	79	00	04	25
	78	00	04	82
	77	00	06	48
	81	00	00	66
	75	00	00	10
	76	00	05	22
	65	00	00	13
	67	00	00	10
	68	00	02	52
	69	00	03	21
	70	00	04	13
	71	00	11	39
8) रामचंद्रपुर	251	00	09	86
	253	00	02	25
	255	00	11	02
	530	00	04	32
	529	00	04	71
	531	00	05	63
	528	00	01	25
	527	00	08	21
	536	00	01	13
	535	00	00	87
	542	00	16	60
	543	00	18	30
	541	00	05	83
	671	00	11	07
	553	00	05	87
	552	00	03	86

1	2	3	4	5
8) रामचंद्रपुर (निरंतर)	721	00	00	98
	555	00	01	73
	554	00	00	87
	507	00	12	83
	720	00	09	78
	483	00	10	24
	484	00	16	56
	732	00	11	25
	487	00	02	09
	488	00	01	49
	489	00	01	56
	490	00	00	10
	802	00	01	13
	492	00	01	32
	500	00	04	24
	736	00	03	28
	491	00	17	72
	794	00	01	36

मंडल/ तेहसिल/ तालुक :गुरुदीजहाटीया	जिला :कटक	राज्य :ओडिशा		
I) गोपालप्रसाद	1	00	16	69
	1155	00	28	51
	35	00	00	37
	34	00	24	49
	7	00	01	93
	1095	00	01	29
	1231	00	04	24
	33	00	19	53
	38	00	00	16
	1225	00	00	10
	32	00	02	84
	1224	00	00	14
	102	00	01	56
	103	00	09	77
	104	00	12	79
	106	00	00	76
	105	00	07	11
	101	00	00	55
	1163	00	00	18
	114	00	05	73
	100	00	01	27
	99	00	01	71

1	2	3	4	5
1) गोपालप्रसाद (निरंतर)	98	00	06	15
	95	00	05	48
	78	00	01	16
	96	00	03	75
	77	00	04	96
	76	00	00	44
	74	00	10	55
	127	00	10	80
	126	00	03	79
	156	00	05	94
	157	00	04	85
	161	00	02	28
	164	00	02	24
	163	00	01	97
	162	00	02	29
	233	00	11	47
	234	00	08	53
	232	00	06	56
	237	00	08	06
	235	00	03	30
	239	00	01	42
	240	00	09	09
	242	00	00	10
	241	00	07	59
	250	00	04	28
	249	00	02	04
	1161	00	07	45
	1190	00	05	20
	287	00	03	59
	289	00	01	30
	288	00	09	39
	295	00	02	48
	296	00	04	02
	298	00	01	98
	299	00	02	83
	297	00	01	85
	300	00	08	04
	317	00	08	72
	316	00	13	58
	1141	00	00	63

1	2	3	4	5
1) गोपालप्रसाद (निरंतर)	505	00	07	47
	506	00	00	10
	328	00	04	65
	504	00	04	78
	331	00	00	10
	503	00	04	99
	332	00	10	53
	490	00	08	84
	491	00	08	27
	488	00	00	23
	487	00	00	76
	486	00	06	43
	485	00	00	17
	484	00	03	20
	483	00	02	19
	429	00	00	21
	430	00	00	48
	528	00	05	27
	527	00	00	82
	531	00	05	64
	532	00	02	94
	1183	00	01	47
	533	00	01	86
	534	00	03	26
	535	00	14	01
	476	00	00	97
	537	00	02	92
	1220	00	03	45
	536	00	38	28
	545	00	24	14
	1146	00	00	13
	543	00	00	39
	558	00	01	34
	559	00	16	19
	544	00	07	24
	561	00	03	28
	560	00	01	71
	396	00	01	52
	398	00	08	02
	395	00	00	82

1	2	3	4	5
1) गोपालप्रसाद (निरंतर)	399	00	09	83
	400	00	02	47
	401	00	01	98
	402	00	01	71
	393	00	00	38
	392	00	00	51
	404	00	03	82
	403	00	02	12
	406	00	01	05
	405	00	01	61
	408	00	02	31
	407	00	01	91
	409	00	01	18
	410	00	00	90
	411	00	00	84
	412	00	01	10
	413	00	00	10
	388	00	02	20
	382	00	01	10
	381	00	25	78
	380	00	03	13
	374	00	00	41
	1168	00	00	52
2) निधिपुर	300	00	08	71
	294	00	01	08
	293	00	00	16
	298	00	00	67
	297	00	03	82
	295	00	01	43
	296	00	01	71
	292	00	01	60
	291	00	00	88
	306	00	11	29
	307	00	11	03
	310	00	01	59
	311	00	00	37
	289	00	10	14
	264	00	00	10
	265	00	01	56
	268	00	03	74

1	2	3	4	5
2) निधिपुर (निरंतर)	269	00	02	95
	270	00	01	12
	273	00	05	47
	274	00	05	10
	275	00	06	10
	277	00	02	64
	278	00	01	85
	280	00	01	28
	282	00	00	56
3) पिहुरा	142	00	02	63
	137	00	05	13
	138	00	03	36
	140	00	20	60
	139	00	00	10
	150	00	06	41
	148	00	10	40
	146	00	03	65
	147	00	04	95
	151	00	01	13
	152	00	03	19
	208	00	02	16
	206	00	02	73
	203	00	03	10
	205	00	00	54
	204	00	02	93
	202	00	06	73
	200	00	00	31
	201	00	03	65
	199	00	00	99
	224	00	06	23
	195	00	03	74
	194	00	12	87
	225	00	01	13
	192	00	00	61
	193	00	16	76
	248	00	02	78
	249	00	06	30
	246	00	18	90
	255	00	42	24
	257	00	10	30

1	2	3	4	5
3) फिरा (निरंतर)	258	00	04	75
	268	00	02	23
	259	00	06	43
	260	00	06	41
	261	00	13	52
	263	00	19	57
	265	00	11	36
4) कपुरसिंह	1080	00	06	37
	1079	00	00	10
	358	00	35	11
	351	00	10	53
	357	00	03	19
	1067	00	01	22
	363	00	14	81
	365	00	23	14
	366	00	17	87
	367	00	00	78
	368	00	23	48
	370	00	30	74
	369	00	03	85
	1064	00	00	82
	361	00	01	19
	1063	00	00	76
	377	00	05	33
	1032	00	22	25
	260	00	18	97
	543	00	02	13
	325	00	00	10
	542	00	19	03
	544	00	00	34
	555	00	01	61
	556	00	02	98
	540	00	00	19
	1007	00	00	10
	549	00	00	42
	557	00	11	45
	558	00	13	81
	596	00	00	26
	595	00	12	90
	599	00	07	53

1	2	3	4	5
4) कपुरसिंह (निरंतर)	623	00	00	10
	622	00	18	36
	618	00	00	10
	621	00	11	85
	720	00	11	77
	723	00	01	10
	740	00	07	44
	743	00	00	18
	741	00	17	83
	739	00	03	30
	738	00	00	95
	737	00	01	06
	736	00	01	91
	734	00	02	21
	735	00	08	65
	800	00	01	98
	799	00	06	39
	798	00	00	69
	797	00	02	37
	796	00	06	90
	795	00	02	45
	794	00	04	92
	808	00	04	56
	793	00	11	83
	809	00	17	61
	810	00	00	10
	811	00	01	86
	815	00	05	13
	813	00	02	96
	814	00	00	99
	816	00	03	02
	820	00	02	04
	817	00	05	68
	818	00	01	75
	819	00	02	03
	824	00	05	48
	832	00	00	44
	828	00	13	79
	825	00	00	38
	822	00	01	93

1	2	3	4	5
4) कपुरसिंह (निरंतर)	829	00	07	98
	905	00	06	34
	916	00	00	88
	914	00	05	66
	913	00	09	34
	835	00	03	20
	879	00	01	42
	881	00	06	63
	882	00	08	10
	876	00	00	66
	1099	00	06	56
	884	00	01	52
	891	00	08	32
	890	00	10	73
	1108	00	01	82
5) ओरण्डा	16	00	12	63
	21	00	09	47
	22	00	18	37
	109	00	00	32
	108	00	04	08
	9	00	01	61
	107	00	03	51
	सर्वे सं 107 और 49 के बीच में	00	02	74
	49	00	06	45
	47	00	18	71
	50	00	05	45
	52	00	00	38
	53	00	05	85
	55	00	01	11
	54	00	02	32
	59	00	01	48
	सर्वे सं 59 और 58 के बीच में	00	01	50
	58	00	01	15
	सर्वे सं 58 और 41 के बीच में	00	02	18
	25	00	03	84
	41	00	11	58
	68	00	03	64
	66	00	12	41
	70	00	09	28
	69	00	16	10

1	2	3	4	5
6) पिंडिआ	136	00	03	84
	198	00	04	05
	139	00	07	71
	149	00	02	32
	160	00	01	35
	161	00	04	75
	162	00	02	07
	159	00	10	99
	158	00	12	19
	165	00	02	29
	172	00	05	23
	171	00	14	07
	173	00	05	42
	170	00	00	10
	203	00	00	16
	200	00	04	00
	199	00	02	11
	188	00	11	38
	189	00	02	71
	193	00	04	12
	198	00	00	59
	197	00	02	77
	191	00	02	61
	196	00	00	33
	195	00	16	73
	194	00	05	26
	236	00	01	17
	237	00	01	42
	253	00	00	29
	252	00	21	95
	251	00	05	62
	254	00	12	32
	255	00	13	37
	257	00	07	32
	256	00	24	73
	367	00	25	55
	372	00	00	85
	368	00	02	21
	369	00	00	33
	366	00	01	80

	1	2	3	4	5
6) पिठाखिआ (निरंतर)	364		00	02	11
7) कोटरा	26		00	10	12
	25		00	13	20
	24		00	09	67
	28		00	08	86
	20		00	01	50
	40		00	01	54
	39		00	01	71
	37		00	00	10
	42		00	09	18
	43		00	03	14
	44		00	06	35
	45		00	08	57
	46		00	00	10
	48		00	00	55
	47		00	12	07
	66		00	08	64
	68		00	00	73
	67		00	02	33
	64		00	10	21
	117		00	09	98
	874		00	03	33
	862		00	00	10
	118		00	14	29
	119		00	00	10
	836		00	04	51
	113		00	02	47
	120		00	00	10
	142		00	00	55
	141		00	06	43
	140		00	05	72
	137		00	04	06
	139		00	08	53
	136		00	00	32
	135		00	00	57
	134		00	03	51
	138		00	01	22
	130		00	00	29
	133		00	02	47
	131		00	00	64

1	2	3	4	5
7) कोटा (नियंत्र)				
132	00	08	06	
126	00	18	02	
336	00	00	10	
127	00	03	89	
128	00	00	18	
335	00	11	69	
342	00	01	33	
333	00	00	74	
331	00	00	13	
332	00	10	87	
777	00	03	18	
775	00	00	10	
778	00	03	81	
860	00	00	51	
779	00	02	76	
780	00	10	67	
785	00	01	83	
757	00	04	36	
935	00	08	97	
756	00	10	11	
755	00	01	19	
806	00	15	70	
738	00	14	65	
736	00	03	57	
972	00	03	68	
971	00	05	09	
731	00	12	06	
732	00	01	61	
730	00	07	41	
729	00	01	86	
723	00	10	23	
906	00	00	10	
724	00	03	51	
725	00	01	16	
8) गुरुडीश्वाटिआ				
754	00	19	76	
752	00	01	10	
755	00	06	82	
753	00	10	04	
749	00	31	92	
750	00	00	24	

	1	2	3	4	5
8) गुरुडीश्वाटिआ (निरंतर)	761		00	00	54
	763		00	05	88
	748		00	13	62
	747		00	00	63
	737		00	18	50
	736		00	10	20
	765		00	00	77
	735		00	06	00
	734		00	18	45
	733		00	15	70
	729		00	00	80
	732		00	13	04
	673		00	04	54
	731		00	01	98
	676		00	12	76
	707		00	03	25
	706		00	34	89
	704		00	02	34
	690		00	07	74
	703		00	03	25
	702		00	18	64
	698		00	04	59
	697		00	04	24
	699		00	08	99
9) साउरिआ	1014		00	00	37
	1015		00	20	27
	1105		00	02	40
	1020		00	07	24
10) शरकुआ०	74		00	03	59
	86		00	01	74
	85		00	09	76
	84		00	01	39
	87		00	11	12
	88		00	01	92
	83		00	08	75
	240		00	09	78
	73		00	05	04
	239		00	10	40
	28		00	03	06
	29		00	02	58

1	2	3	4	5
10) शरकुओं (निर्ततर)	30 26 23 31 32 51 33 34 35 47 40 45 46 43 67 63	00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00	02 02 00 04 02 00 07 12 24 01 02 12 02 10 07	32 07 21 60 86 10 68 21 04 64 73 32 92 04 00 05
11) गोदराशासन	167 168 443 169 189 188 187 186 184 185 183 181 177 180 179 178 242 243 सर्वे स 243 और 292 के बीच में 292 291 294 300 301	00 00	07 16 02 02 05 19 01 05 09 01 00 10 03 02 03 12 01 00 09 08 13 03 02 01	63 08 41 42 08 74 92 30 20 90 21 62 18 11 55 34 31 10 05 29 78 60 63 41

1	2	3	4	5
11) गोवराशासन (निरंतर)	299	00	02	75
	302	00	03	56
	303	00	00	10
	298	00	01	14
	427	00	02	28
	323	00	09	14
	341	00	14	13
	324	00	10	30
	325	00	49	34
	328	00	16	89
	329	00	18	04
	330	00	00	24
	170	00	00	10
12) कंटानिया	475	00	04	12
	485	00	04	60
	482	00	09	22
	486	00	11	66
	487	00	23	99
	693	00	01	74
	489	00	03	40
	679	00	03	45
	490	00	14	79
	492	00	00	45
	491	00	05	31
	470	00	07	29
	675	00	00	24
	577	00	01	77
	499	00	00	13
	501	00	20	10
	451	00	41	39
	452	00	00	94
	450	00	01	03
	373	00	07	98
	374	00	11	43
	375	00	10	12
	377	00	08	47
	376	00	00	13
	367	00	09	75
	364	00	00	10
	365	00	07	77

1	2	3	4	5
12) कंटनिया (निरंतर)	366	00	04	84
	369	00	01	10
	361	00	00	13
	360	00	10	13
	351	00	14	17
	358	00	06	31
	156	00	00	10
	158	00	01	07
	664	00	13	69
	161	00	09	63
	697	00	01	75
	160	00	06	09
	695	00	03	93
	658	00	07	79
	102	00	40	54
	101	00	14	30
	95	00	05	58
	94	00	02	58
	694	00	22	26

[फा सं. एल.-14014/110/2010-जी.पी.]
के के .शर्मा, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 10th February, 2011

S. O. 504.—Whereas it appears to Government of India that it is necessary in public interest that for transportation of natural gas from onshore terminal at East coast of Andhra Pradesh of M/s Reliance Industries Limited to consumers in various parts of the country, Kakinada - Basudebpur - Howrah pipeline should be laid by M/s Relogistics Infrastructure Limited;

And whereas, it appears to Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which are described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to Shri Bhaskar Tripathy, Competent Authority, Relogistics Infrastructure Limited, 1st Floor, Fortune Tower, Chandrasekharpur, Bhubaneswar - 751023, Orissa State.

Schedule

Mandal/Tehsil/Taluk:Athagad		District:Cuttack	State:Orissa		
Village	Survey No./Sub-Division	Area to be acquired for			
1	2	Hect	Are	C-Are	
1) Sukasana Reserve Forest	Sukasana Reserve Forest	01	80	00	
2) Bentapada	3011	00	35	73	
	3010	00	79	48	
3) Betakholi	346	00	00	50	
	345	00	07	00	
	344	00	13	20	
	343	00	11	08	
	342	00	12	77	
	231	00	16	27	
	341	00	01	57	
	229	00	11	97	
	226	00	35	02	
	227	00	30	54	
	38	00	02	01	
	211	00	00	67	
	93	00	34	07	
	89	00	04	53	
	94	00	00	54	
	75	00	01	17	
	76	00	01	59	
	78	00	01	87	
	74	00	01	82	
	77	00	02	17	
	79	00	01	73	
	73	00	02	96	
	80	00	08	63	
	340	00	00	10	
	320	00	01	70	
	In between no. 320 & 68	00	00	49	
	68	00	01	18	
	159	00	00	61	
	160	00	04	09	
	161	00	00	93	
	158	00	05	24	
	162	00	09	16	
	163	00	00	10	
	157	00	00	60	

	1	2	3	4	5
3) Betakholi (Contd)		148	00	01	40
		147	00	02	70
		149	00	03	17
		150	00	02	20
		151	00	00	14
		146	00	10	75
		180	00	07	69
		212	00	01	84
		202	00	13	47
		204	00	05	85
		203	00	08	09
		In bet suy no. 203 & 205	00	01	10
		205	00	19	11
		270	00	03	91
4) Gariapat		383	00	04	05
		384	00	02	51
		380	00	01	98
		357	00	00	10
		322	00	09	93
		321	00	11	73
		329	00	02	06
		320	00	18	30
		349	00	02	37
		331	00	02	67
		405	00	03	73
		332	00	03	74
		333	00	00	56
		334	00	02	45
		335	00	00	96
		338	00	00	22
		339	00	00	10
		184	00	01	47
		181	00	09	64
		182	00	02	85
		180	00	06	02
		176	00	07	35
		177	00	01	35
		175	00	02	58
		173	00	17	68
		174	00	01	11

1	2	3	4	5
4) Gariapat (Contd)	171	00	00	89
	170	00	11	09
	169	00	06	18
5) Rajnagar	1091	00	06	99
	1090	00	04	57
	1089	00	01	22
	1088	00	00	14
	1092	00	02	73
	1093	00	00	46
	1094	00	10	19
	1095	00	03	05
	1096	00	02	12
	1097	00	04	58
	1099	00	02	72
	1100	00	08	24
	1102	00	09	81
	1101	00	00	82
	1104	00	07	90
	1107	00	02	45
	1080	00	01	13
	1105	00	05	64
	1106	00	03	66
	1131	00	02	72
	1128	00	00	42
	1130	00	03	07
	1132	00	01	10
	1133	00	00	10
	1129	00	08	51
	1141	00	05	25
	1142	00	04	47
	1140	00	00	62
	1143	00	11	90
	1144	00	05	85
	1145	00	05	06
	1146	00	00	20
6) Gokulpur	1112	00	05	97
	347	00	10	52
	351	00	00	10
	350	00	00	89
	349	00	02	44

1	2	3	4	5
6) Gokulpur (Contd)				
	348	00	05	69
	367	00	00	16
	1184	00	00	70
	414	00	04	52
	413	00	08	53
	412	00	08	20
	428	00	00	10
	411	00	04	26
	430	00	01	87
	431	00	04	54
	403	00	07	26
	404	00	01	81
	402	00	00	92
	401	00	03	88
	400	00	06	13
	433	00	07	61
	461	00	04	89
	462	00	03	66
	463	00	05	20
	464	00	05	52
	465	00	01	77
	466	00	00	17
	470	00	07	38
	471	00	05	92
	472	00	00	10
	469	00	03	00
	1241	00	06	17
	450	00	00	80
	9	00	02	79
	1138	00	03	69
	479	00	00	12
	478	00	22	48
	481	00	00	10
	482	00	00	20
	299	00	17	57
	298	00	15	11
	795	00	02	36
	1092	00	10	15
	537	00	18	32
	536	00	11	32

1	2	3	4	5
6) Gokulpur (Contd)	531	00	02	05
	535	00	00	49
	532	00	14	90
	533	00	02	05
	530	00	09	75
	545	00	05	78
	546	00	05	89
	525	00	09	62
	1178	00	00	97
	524	00	10	58
	523	00	04	40
	521	00	01	71
	514	00	09	41
	515	00	00	96
	512	00	05	64
	1154	00	04	98
	511	00	06	55
	510	00	07	38
	508	00	05	74
	504	00	01	83
7) Radhamadhabpur	461	00	20	59
	460	00	00	32
	462	00	02	50
	463	00	05	15
	466	00	03	08
	464	00	18	32
	459	00	00	35
	465	00	04	06
	458	00	14	41
	445	00	00	10
	471	00	10	63
8) Mahakalabast	1814	00	04	42
	1812	00	06	22
	1813	00	10	15
	1811	00	01	45
	1810	00	01	47
	1809	00	02	37
	1808	00	02	88
	1807	00	03	61
	1806	00	02	43

1	2	3	4	5
8) Mahakalabast (Contd)	1805	00	01	24
	1804	00	03	63
	1803	00	02	85
	1802	00	02	25
	1801	00	01	85
	1799	00	01	28
	1798	00	05	00
	1793	00	01	49
	1797	00	02	15
	1794	00	01	60
	1795	00	01	43
	1791	00	03	02
	1790	00	01	83
	1787	00	03	28
	1785	00	02	27
	1783	00	02	60
	1782	00	03	25
	1777	00	08	80
	1776	00	03	39
	1751	00	06	66
	1750	00	03	26
	1749	00	02	84
	1746	00	01	79
	1817	00	31	02
	1822	00	34	37
	1820	00	01	21
	1818	00	35	47
	1819	00	05	51
	1961	00	83	44
	1962	00	47	72
	1279	00	38	39
	1963	00	71	65
9) Radhadhabpur	113	00	13	06
	154	00	32	86
	161	00	01	69
	117	00	06	22
	118	00	13	48
	157	00	01	38
	152	00	01	73
	121	00	04	30

1	2	3	4	5
9) Radhadhabpur (Contd)	120	00	00	10
	122	00	07	21
	162	00	04	51
	146	01	01	26
	143	00	28	44
Mandal/Tehsil/Taluk:Tangi-Choudwar				
1) Mahalapada	6	00	00	43
	7	00	00	45
	8	00	00	70
	13	00	05	60
	17	00	00	59
	29	00	00	30
	34	00	00	80
	33	00	11	04
	35	00	00	10
	32	00	00	27
	36	00	14	67
	52	00	06	75
	51	00	01	66
	53	00	00	12
	50	00	01	12
	57	00	03	51
	87	00	01	79
	88	00	07	99
	89	00	09	38
	90	00	00	34
	142	00	22	15
	130	00	00	10
	141	00	04	83
	147	00	05	18
	140	00	01	71
	150	00	00	85
	149	00	02	46
	148	00	00	10
	151	00	00	10
	170	00	01	17
	216	00	13	59
	218	00	03	72
	219	00	00	10
2) Gopinathapada	235	00	05	40
	234	00	03	80

1	2	3	4	5
2) Gopinathapada (Contd)				
	233	00	10	83
	213	00	19	70
	212	00	07	75
	211	00	00	10
	210	00	08	14
	209	00	11	40
	244	00	00	10
	198	00	04	72
	245	00	09	15
	199	00	02	30
	201	00	00	31
	200	00	02	76
	197	00	01	61
	196	00	00	55
	186	00	00	64
	185	00	02	96
	184	00	08	86
	183	00	09	95
	181	00	01	57
3) Kakhadi	185	00	07	02
	186	00	00	63
	184	00	11	42
	187	00	00	98
	183	00	03	54
	182	00	05	04
	181	00	00	15
	173	00	09	84
	170	00	16	15
	2030	00	00	73
	171	00	05	75
	172	00	05	68
	174	00	02	43
	139	00	00	10
	138	00	10	05
	137	00	05	45
	136	00	05	12
	130	00	07	23
	135	00	02	74
	133	00	00	10
	131	00	06	54

	1	2	3	4	5
3)	Kakhadi (Contd)	129 128 107 106 108 115 114 109 110 113 102 101 111 112 59	00 00 00 00 00 00 00 00 00 00 00 00 00 00 00	07 00 02 00 11 00 03 01 06 03 03 02 03 00 04	06 75 93 45 13 10 04 27 44 26 21 98 01 52 72
		Nala Bet Suy no. 59 & VB of Brahmana	00	11	43
4)	Kochilanuagan	1082 1083 1105 1084 1086 1087 1091 1090	00 00 00 00 00 00 00 00	02 10 03 09 32 49 00 13	46 01 02 95 04 95 14 47
5)	Raghunathprasad	335 334 333 338 339 322 342 343 383 379 381 380 377 376 370 828	00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00	03 16 19 05 12 05 00 03 10 15 01 14 03 06 15 13	69 96 07 76 34 22 36 91 76 72 06 59 73 69 96 37

1	2	3	4	5
5) Raghunathprasad (Contd)	438	00	10	08
	445	00	12	64
	443	00	29	22
	498	00	18	34
	499	00	04	40
	865	00	07	92
	880	00	04	54
	881	00	03	54
	882	00	05	66
	883	00	01	15
	879	00	12	36
	519	00	00	33
	521	00	00	10
	495	00	13	69
	525	00	02	96
	869	00	00	33
	526	00	02	32
	527	00	07	27
	528	00	09	64
	529	00	15	46
	598	00	12	61
	597	00	02	85
	897	00	00	10
	596	00	04	88
	595	00	05	08
	593	00	06	99
	592	00	07	68
	580	00	02	73
	581	00	01	75
	582	00	25	41
	575	00	07	54
	574	00	10	02
	583	00	00	10
	573	00	06	27
	567	00	16	43
	565	00	09	81
	568	00	00	80
	564	00	02	08
	563	00	07	67
	561	00	23	96

	1	2	3	4	5
5) Raghunathprasad (Contd)		562	00	01	96
		856	00	04	70
6) Bagdhara		136	00	00	44
		147	00	00	60
		146	00	04	00
		150	00	00	42
		144	00	14	15
		143	00	02	49
		145	00	09	23
		140	00	08	67
		142	00	07	90
		175	00	00	61
		176	00	01	12
		141	00	06	07
		177	00	03	70
		178	00	00	49
		179	00	10	66
		180	00	01	66
		181	00	10	75
		182	00	01	61
		107	00	00	33
		106	00	03	84
		87	00	10	39
		78	00	28	47
		88	00	02	74
		220	00	11	85
		76	00	04	10
		77	00	03	63
		52	00	12	60
		44	00	01	34
		45	00	06	35
		46	00	10	25
		47	00	01	86
		48	00	06	84
7) Mangarajpur		39	00	00	19
		40	00	00	73
		49	00	01	92
		48	00	01	69
		43	00	03	43
		44	00	11	12

1	2	3	4	5
7) Mangarajpur (Contd)				
	42	00	00	94
	33	00	02	19
	31	00	08	24
	30	00	01	00
	59	00	06	99
	58	00	12	36
	95	00	00	53
	93	00	00	91
	60	00	03	46
	92	00	06	13
	61	00	02	06
	80	00	04	93
	79	00	04	25
	78	00	04	82
	77	00	06	48
	81	00	00	66
	75	00	00	10
	76	00	05	22
	65	00	00	13
	67	00	00	10
	68	00	02	52
	69	00	03	21
	70	00	04	13
	71	00	11	39
8) Ramchandrapur	251	00	09	86
	253	00	02	25
	255	00	11	02
	530	00	04	32
	529	00	04	71
	531	00	05	63
	528	00	01	25
	527	00	08	21
	536	00	01	13
	535	00	00	87
	542	00	16	60
	543	00	18	30
	541	00	05	83
	671	00	11	07
	553	00	05	87
	552	00	03	86

1	2	3	4	5
8) Ramchandrapur (Contd)	721	00	00	98
	555	00	01	73
	554	00	00	87
	507	00	12	83
	720	00	09	78
	483	00	10	24
	484	00	16	56
	732	00	11	25
	487	00	02	09
	488	00	01	49
	489	00	01	56
	490	00	00	10
	802	00	01	13
	492	00	01	32
	500	00	04	24
	736	00	03	28
	491	00	17	72
	794	00	01	36

Mandal/Tehsil/Taluk:Gurudijhatia	District:Cuttack	State:Orissa		
1) Gopalprasad	1	00	16	69
	1155	00	28	51
	35	00	00	37
	34	00	24	49
	7	00	01	93
	1095	00	01	29
	1231	00	04	24
	33	00	19	53
	38	00	00	16
	1225	00	00	10
	32	00	02	84
	1224	00	00	14
	102	00	01	56
	103	00	09	77
	104	00	12	79
	106	00	00	76
	105	00	07	11
	101	00	00	55
	1163	00	00	18
	114	00	05	73
	100	00	01	27
	99	00	01	71

1	2	3	4	5
1) Gopalprasad (Contd)	98	00	06	15
	95	00	05	48
	78	00	01	16
	96	00	03	75
	77	00	04	96
	76	00	00	44
	74	00	10	55
	127	00	10	80
	126	00	03	79
	156	00	05	94
	157	00	04	85
	161	00	02	28
	164	00	02	24
	163	00	01	97
	162	00	02	29
	233	00	11	47
	234	00	08	53
	232	00	06	56
	237	00	08	06
	235	00	03	30
	239	00	01	42
	240	00	09	09
	242	00	00	10
	241	00	07	59
	250	00	04	28
	249	00	02	04
	1161	00	07	45
	1190	00	05	20
	287	00	03	59
	289	00	01	30
	288	00	09	39
	295	00	02	48
	296	00	04	02
	298	00	01	98
	299	00	02	83
	297	00	01	85
	300	00	08	04
	317	00	08	72
	316	00	13	58
	1141	00	00	63

1	2	3	4	5
1) Gopalprasad (Contd)	505	00	07	47
	506	00	00	10
	328	00	04	65
	504	00	04	78
	331	00	00	10
	503	00	04	99
	332	00	10	53
	490	00	08	84
	491	00	08	27
	488	00	00	23
	487	00	00	76
	486	00	06	43
	485	00	00	17
	484	00	03	20
	483	00	02	19
	429	00	00	21
	430	00	00	48
	528	00	05	27
	527	00	00	82
	531	00	05	64
	532	00	02	94
	1183	00	01	47
	533	00	01	86
	534	00	03	26
	535	00	14	01
	476	00	00	97
	537	00	02	92
	1220	00	03	45
	536	00	38	28
	545	00	24	14
	1146	00	00	13
	543	00	00	39
	558	00	01	34
	559	00	16	19
	544	00	07	24
	561	00	03	28
	560	00	01	71
	396	00	01	52
	398	00	08	02
	395	00	00	82

1	2	3	4	5
1) Gopalprasad (Contd)				
	399	00	09	83
	400	00	02	47
	401	00	01	98
	402	00	01	71
	393	00	00	38
	392	00	00	51
	404	00	03	82
	403	00	02	12
	406	00	01	05
	405	00	01	61
	408	00	02	31
	407	00	01	91
	409	/00	01	18
	410	00	00	90
	411	00	00	84
	412	00	01	10
	413	00	00	10
	388	00	02	20
	382	00	01	10
	381	00	25	78
	380	00	03	13
	374	00	00	41
	1168	00	00	52
2) Nidhipur	300	00	08	71
	294	00	01	08
	293	00	00	16
	298	00	00	67
	297	00	03	82
	295	00	01	43
	296	00	01	71
	292	00	01	60
	291	00	00	88
	306	00	11	29
	307	00	11	03
	310	00	01	59
	311	00	00	37
	289	00	10	14
	264	00	00	10
	265	00	01	56
	268	00	03	74

1	2	3	4	5
2) Nidhipur (Contd)				
	269	00	02	95
	270	00	01	12
	273	00	05	47
	274	00	05	10
	275	00	06	10
	277	00	02	64
	278	00	01	85
	280	00	01	28
	282	00	00	56
3) Pihura	142	00	02	63
	137	00	03	13
	138	00	03	36
	140	00	20	60
	139	00	00	10
	150	00	06	41
	148	00	10	40
	146	00	03	65
	147	00	04	95
	151	00	01	13
	152	00	03	19
	208	00	02	16
	206	00	02	73
	203	00	03	10
	205	00	00	54
	204	00	02	93
	202	00	06	73
	200	00	00	31
	201	00	03	65
	199	00	00	99
	224	00	06	23
	195	00	03	74
	194	00	12	87
	225	00	01	13
	192	00	00	61
	193	00	16	76
	248	00	02	78
	249	00	06	30
	246	00	18	90
	255	00	42	24
	257	00	10	30

1	2	3	4	5
3) Pihura (Conid)	258	00	04	75
	268	00	02	23
	259	00	06	43
	260	00	06	41
	261	00	13	52
	263	00	19	57
	265	00	11	36
4) Kapursingha	1080	00	06	37
	1079	00	00	10
	358	00	35	11
	351	00	10	53
	357	00	03	19
	1067	00	01	22
	363	00	14	81
	365	00	23	14
	366	00	17	87
	367	00	00	78
	368	00	23	48
	370	00	30	74
	369	00	03	85
	1064	00	00	82
	361	00	01	19
	1063	00	00	76
	377	00	05	33
	1032	00	22	25
	260	00	18	97
	543	00	02	13
	325	00	00	10
	542	00	19	03
	544	00	00	34
	555	00	01	61
	556	00	02	98
	540	00	00	19
	1007	00	00	10
	549	00	00	42
	557	00	11	45
	558	00	13	81
	596	00	00	26
	595	00	12	90
	599	00	07	53

1	2	3	4	5
4) Kapursingha (Contd)	623	00	00	10
	622	00	18	36
	618	00	00	10
	621	00	11	85
	720	00	11	77
	723	00	01	10
	740	00	07	44
	743	00	00	18
	741	00	17	83
	739	00	03	30
	738	00	00	95
	737	00	01	06
	736	00	01	91
	734	00	02	21
	735	00	08	65
	800	00	01	98
	799	00	06	39
	798	00	00	69
	797	00	02	37
	796	00	06	90
	795	00	02	45
	794	00	04	92
	808	00	04	56
	793	00	11	83
	809	00	17	61
	810	00	00	10
	811	00	01	86
	815	00	05	13
	813	00	02	96
	814	00	00	99
	816	00	03	02
	820	00	02	04
	817	00	05	68
	818	00	01	75
	819	00	02	03
	824	00	05	48
	832	00	00	44
	828	00	13	79
	825	00	00	38
	822	00	01	93

1	2	3	4	5
4) Kapursingha (Contd)	829	00	07	98
	905	00	06	34
	916	00	00	88
	914	00	05	66
	913	00	09	34
	835	00	03	20
	879	00	01	42
	881	00	06	63
	882	00	08	10
	876	00	00	66
	1099	00	06	56
	884	00	01	52
	891	00	08	32
	890	00	10	73
	1108	00	01	82
5) Oranda	16	00	12	63
	21	00	09	47
	22	00	18	37
	109	00	00	32
	108	00	04	08
	9	00	01	61
	107	00	03	51
	In bet suy no. 107 & 49	00	02	74
	49	00	06	45
	47	00	18	71
	50	00	05	45
	52	00	00	38
	53	00	05	85
	55	00	01	11
	54	00	02	32
	59	00	01	48
	In bet suy no. 59 & 58	00	01	50
	58	00	01	15
	In bet suy no. 58 & 41	00	02	18
	25	00	03	84
	41	00	11	58
	68	00	03	64
	66	00	12	41
	70	00	09	28
	69	00	16	10

1	2	3	4	5
6) Pithakhia	136	00	03	84
	138	00	04	05
	139	00	07	71
	149	00	02	32
	160	00	01	35
	161	00	04	75
	162	00	02	07
	159	00	10	99
	158	00	12	19
	165	00	02	29
	172	00	05	23
	171	00	14	07
	173	00	05	42
	170	00	00	10
	203	00	00	16
	200	00	04	00
	199	00	02	11
	188	00	11	38
	189	00	02	71
	193	00	04	12
	198	00	00	59
	197	00	02	77
	191	00	02	61
	196	00	00	33
	195	00	16	73
	194	00	05	26
	236	00	01	17
	237	00	01	42
	253	00	00	29
	252	00	21	95
	251	00	05	62
	254	00	12	32
	255	00	13	37
	257	00	07	32
	256	00	24	73
	367	00	25	55
	372	00	00	85
	368	00	02	21
	369	00	00	33
	366	00	01	80

1	2	3	4	5
6) Pithakhia (Contd)	364	00	02	11
7) Kotara	26	00	10	12
	25	00	13	20
	24	00	09	67
	28	00	08	86
	20	00	01	50
	40	00	01	54
	39	00	01	71
	37	00	00	10
	42	00	09	18
	43	00	03	14
	44	00	06	35
	45	00	08	57
	46	00	00	10
	48	00	00	55
	47	00	12	07
	66	00	08	64
	68	00	00	73
	67	00	02	33
	64	00	10	21
	117	00	09	98
	874	00	03	33
	862	00	00	10
	118	00	14	29
	119	00	00	10
	836	00	04	51
	113	00	02	47
	120	00	00	10
	142	00	00	55
	141	00	06	43
	140	00	05	72
	137	00	04	06
	139	00	08	53
	136	00	00	32
	135	00	00	57
	134	00	03	51
	138	00	01	22
	130	00	00	29
	133	00	02	47
	131	00	00	64

1	2	3	4	5
7) Kotara (Contd)				
	132	00	08	06
	126	00	18	02
	336	00	00	10
	127	00	03	89
	128	00	00	18
	335	00	11	69
	342	00	01	33
	333	00	00	74
	331	00	00	13
	332	00	10	87
	777	00	03	18
	775	00	00	10
	778	00	03	81
	860	00	00	51
	779	00	02	76
	780	00	10	67
	785	00	01	83
	757	00	04	36
	935	00	08	97
	756	00	10	11
	755	00	01	19
	806	00	15	70
	738	00	14	65
	736	00	03	57
	972	00	03	68
	971	00	05	09
	731	00	12	06
	732	00	01	61
	730	00	07	41
	729	00	01	86
	723	00	10	23
	906	00	00	10
	724	00	03	51
	725	00	01	16
8) Gurudijhatia	754	00	19	76
	752	00	01	10
	755	00	06	82
	753	00	10	04
	749	00	31	92
	750	00	00	24

1	2	3	4	5
8) Gurudighatia (Contd)	761	00	00	54
	763	00	05	88
	748	00	13	62
	747	00	00	63
	737	00	18	50
	736	00	10	20
	765	00	00	77
	735	00	06	00
	734	00	18	45
	733	00	15	70
	729	00	00	80
	732	00	13	04
	673	00	04	54
	731	00	01	98
	676	00	12	76
	707	00	03	25
	706	00	34	89
	704	00	02	34
	690	00	07	74
	703	00	03	25
	702	00	18	64
	698	00	04	59
	697	00	04	24
	699	00	08	99
9) Sauria	1014	00	00	37
	1015	00	20	27
	1105	00	02	40
	1020	00	07	24
10) Sarkuan	74	00	03	59
	86	00	01	74
	85	00	09	76
	84	00	01	39
	87	00	11	12
	88	00	01	92
	83	00	08	75
	240	00	09	78
	73	00	05	04
	239	00	10	40
	28	00	03	06
	29	00	02	58

1	2	3	4	5
10) Sarkuan (Contd)				
	30	00	02	32
	26	00	02	07
	23	00	00	21
	31	00	04	60
	32	00	02	86
	51	00	00	10
	33	00	07	68
	34	00	12	21
	35	00	24	04
	47	00	01	64
	40	00	02	73
	45	00	00	32
	46	00	12	92
	43	00	02	04
	67	00	10	00
	63	00	07	05
11) Gobarasasan	167	00	07	63
	168	00	16	08
	443	00	02	41
	169	00	02	42
	189	00	05	08
	188	00	19	74
	187	00	01	92
	186	00	05	30
	184	00	09	20
	185	00	01	90
	183	00	00	21
	181	00	10	62
	177	00	03	18
	180	00	02	11
	179	00	03	55
	178	00	12	34
	242	00	01	31
	243	00	00	10
	In bet suy no. 243 & 292	00	09	05
	292	00	08	29
	291	00	13	78
	294	00	03	60
	300	00	02	63
	301	00	01	41

1	2	3	4	5
11) Gobardasan (Contd)				
	299	00	02	75
	302	00	03	56
	303	00	00	10
	298	00	01	14
	427	00	02	28
	323	00	09	14
	341	00	14	13
	324	00	10	30
	325	00	49	34
	328	00	16	89
	329	00	18	04
	330	00	00	24
	170	00	00	10
12) Kantania	475	00	04	12
	485	00	04	60
	482	00	09	22
	486	00	11	66
	487	00	23	99
	693	00	01	74
	489	00	03	40
	679	00	03	45
	490	00	14	79
	492	00	00	45
	491	00	05	31
	470	00	07	29
	675	00	00	24
	577	00	01	77
	499	00	00	13
	501	00	20	10
	451	00	41	39
	452	00	00	94
	450	00	01	03
	373	00	07	98
	374	00	11	43
	375	00	10	12
	377	00	08	47
	376	00	00	13
	367	00	09	75
	364	00	00	10
	365	00	07	77

1	2	3	4	5
12) Kantania (Contd)				
	366	00	04	84
	369	00	01	10
	361	00	00	13
	360	00	10	13
	351	00	14	17
	358	00	06	31
	156	00	00	10
	158	00	01	07
	664	00	13	69
	161	00	09	63
	697	00	01	75
	160	00	06	09
	695	00	03	93
	658	00	07	79
	102	00	40	54
	101	00	14	30
	95	00	05	58
	94	00	02	58
	694	00	22	26

[F. No. L-14014/110/2010-G.P.]

K. K. SHARMA, Under Secy.

नई दिल्ली, 10 फरवरी, 2011।

का. आ. 505.—भारत सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि ऐसर्स रिलाएन्स इंडस्ट्रीज लिमिटेड की आन्ध्र प्रदेश में पूर्वी तट पर ऑनशोर टरमिनल से देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए, ऐसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा काकीनाडा - बासुदेवपुर - हावड़ा पाइपलाइन विछाई जानी चाहिए ;

और, भारत सरकार को उक्त पाइपलाइन विछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि, उस भूमि में, जिसके भीतर उक्त पाइपलाइन विछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपावच्छ अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए ;

अतः, अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन जारी की गई अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इककीस दिन के भीतर भूमि के नीचे पाइपलाइन विछाई जाने के लिए उपायोग के अधिकार के अर्जन के संबंध में श्री भास्कर त्रिपाठी, सक्षम प्राधिकारी, रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड, प्रथम मौजिल, फोर्चुन टावर, चन्द्रशेखरपुर, भुवनेश्वर - 751023, ओडिशा राज्य को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

गाँव का नाम 1	जिला : कटक सर्वे सं./ सब डिविजन सं. 2	राज्य : ओडिशा आर.ओ.यू. अर्पित करने के लिए बेतफ़ल		
		हेक्टेयर	एयर	सि एयर
		3	4	5
1) ओटा पडगांन	4	00	04	74
	286	00	00	10
	3	00	02	16
	5	00	10	50
	6	00	06	11
	11	00	18	29
	14	00	00	10
	13	00	21	46
	277	00	00	10
	12	00	01	54
	276	00	00	50
	16	00	11	59
	323	00	08	08
	30	00	00	72
	270	00	00	45
	31	00	01	20
	279	00	03	84
	29	00	04	48
	32	00	03	67
	47	00	38	80
	345	00	07	94
	50	00	07	09
	51	00	12	21
	52	00	09	25
	53	00	34	58
	60	00	09	08
	267	00	04	35
	56	00	06	01
	57	00	07	62
	59	00	09	58
	58	00	00	68
2) अंदीलिङ्गरी	361	00	07	22
	360	00	18	31
	362	00	09	48
	363	00	03	64
	372	00	13	19
	379	00	03	45

1	2	3	4	5
2) अंशीलिङ्गरी (निरंतर)	371	00	13	58
	370	00	07	72
	368	00	04	91
	329	00	00	22
	327	00	00	28
	319	00	20	57
	320	00	09	24
	322	00	12	73
	324	00	00	65
	323	00	11	74
	295	00	14	25
	296	00	00	36
	297	00	11	09
	276	00	00	10
	275	00	22	48
	274	00	11	45
	273	00	06	30
	299	00	00	63
	300	00	58	50
	303	00	02	05
	304	00	19	00
	582	00	03	07
	256	00	12	92
	581	00	07	72
	259	00	09	24
3) मात्रापंगी	811	00	06	98
	421	00	01	03
	418	00	01	93
	419	00	00	41
	417	00	20	92
	416	00	00	25
	283	00	40	71
	287	00	01	31
	288	00	27	55
	291	00	04	87
	290	00	15	74
	292	00	00	10
	266	00	08	59
	268	00	00	28
	265	00	01	35

1	2	3	4	5
3) मालापंगी (निरंतर)	846	00	06	20
	260	00	09	95
	261	00	04	87
	259	00	03	89
	201	00	05	71
	200	00	11	25
	199	00	03	14
	177	00	22	99
	211	00	09	87
	175	00	03	62
	212	00	06	81
	213	00	00	10
	172	00	02	16
	174	00	00	85
	173	00	20	50
	169	00	06	66
	166	00	00	10
	168	00	09	62
	167	00	03	08
	142	00	05	97
	165	00	00	36
	164	00	02	78
	146	00	29	59
	147	00	07	10
	148	00	18	11
	161	00	00	17
	160	00	17	95
	159	00	01	88
	841	00	00	10
	150	00	06	76
	151	00	07	31
	839	00	24	71
	840	00	12	82
	874	00	36	05
	119	00	01	53
	896	00	07	56
	865	00	07	33
	118	00	42	40
	153	00	13	66
	894	00	07	14

1	2	3	4	5
3) माछापंच (निरंतर)	892	00	06	40
	117	00	91	10
	869	00	17	46
	116	00	01	77
	917	00	05	41
	115	00	43	45
	910	00	00	77
	890	00	04	46
	891	00	16	73
	899	00	13	56
	107	00	00	38
	106	00	13	73
	923	00	03	35
	930	00	03	76
	109	00	07	17
	824	00	08	47
	111	00	04	62
	820	00	18	02
	922	00	11	62
	828	00	01	57
	907	00	14	48
	78	00	04	25
	72	00	00	38
	68	00	21	60
	816	00	09	62
	873	00	10	90
	815	00	00	26
	898	00	11	80
	924	00	03	33
	62	00	22	96
	900	00	06	50
	53	00	24	02
	47	00	03	80
	48	00	17	40
	44	00	07	44
	33	00	03	76
	34	00	17	60
4) पातालासिंगरा	232	00	38	55
	229	00	00	22
	231	00	08	27

[भाग II—खण्ड 3(ii)]

भारत का राजधन : फरवरी 19, 2011/मार्च 30, 1932

1	2	3	4	5
4) पातालसिंगरा (निरंतर)	230	00	08	48
	208	00	00	10
	207	00	02	36
	904	00	03	79
	181	00	06	02
	182	00	04	18
	183	00	11	40
	187	00	02	34
	186	00	02	86
	188	00	01	36
	190	00	03	41
	191	00	04	67
	192	00	02	55
	172	00	08	99
	173	00	00	16
	174	00	03	29
	175	00	00	10
	176	00	10	92
	163	00	00	58
	164	00	05	38
	159	00	02	97
	158	00	12	44
	157	00	00	15
	132	00	17	03
	133	00	03	64
	152	00	00	10
	134	00	01	90
	151	00	03	51
	150	00	27	90
	149	00	01	66
	146	00	03	84
	147	00	00	25
	63	00	22	56
	64	00	07	03
	74	00	04	69
	62	00	00	49
	66	00	01	95
	67	00	04	61
	69	00	18	42
	58			

1	2	3	4	5
4) यातालासिंगंरा (निरंतर)	70	00	01	83
	56	00	20	99
	55	00	01	18
	54	00	00	10
	53	00	14	20
	52	00	01	45
	646	00	32	74
	647	00	00	10
	650	00	00	11
	651	00	00	61
	645	00	06	06
	652	00	08	31
	653	00	17	80
5) अभयापुर	358	00	20	90
	616	00	02	16
	617	00	00	34
	357	00	20	42
	359	00	00	54
	360	00	29	48
	361	00	02	84
	363	00	07	98
	362	00	03	20
	338	00	00	10
	337	00	14	79
	366	00	00	14
	136	00	07	16
	134	00	03	04
	135	00	06	48
	132	00	36	61
	145	00	12	01
	144	00	00	17
	162	00	09	12
	636	00	02	61
	160	00	02	67
	159	00	31	52
	158	00	04	14
	156	00	17	67
	148	00	00	14
	155	00	14	40
	154	00	07	88

1	2	3	4	5
5) अमरपुर (निरंतर)	153	00	00	17
	711	00	26	34
	152	00	21	49
	151	00	00	30
	186	00	04	26
	189	00	38	82
	187	00	12	47
6) सफा	667	00	05	30
	668	00	29	48
	651	00	02	65
	656	00	11	04
	655	00	07	60
	657	00	03	24
	2562	00	01	11
	654	00	34	71
	228	00	13	18
	2560	00	05	29
	227	00	09	23
	199	00	33	37
	198	00	05	65
	167	00	48	63
	2565	00	00	10
	169	00	02	03
	171	00	00	38
	68	00	01	86
	179	00	40	31
	123	00	03	74
	174	00	07	19
	149	00	16	03
	150	00	02	56
	148	00	00	99
	136	00	05	36
	129	00	04	87
	128	00	15	89
	151	00	00	32
	152	00	07	47
	127	00	06	53
	125	00	05	63
	122	00	11	03
	121	00	29	01

1	2	3	4	5
6) सफा (निरंतर)	117	00	20	38
	119	00	42	12
	118	00	00	10
	108	00	11	79
	86	00	30	77
	72	00	20	95
	71	00	17	89
	69	00	07	38
	62	00	25	60
	66	00	00	10
	65	00	05	36
	63	00	10	59
	61	00	00	16
	60	00	14	97
	58	00	07	47

मंडल/ तेहसील/ तालुक व गुरुदीजहाटिया	जिला इकट्ठक	गञ्य ओडिशा		
1) कुमारपुर	114	00	14	10
	111	00	09	85
	110	00	13	68
2) बालीपुर	80	00	06	83
	2465	00	18	63
	84	00	01	42
	86	00	20	85
	88	00	09	72
	89	00	03	03
	87	00	04	51
	112	00	01	73
	90	00	01	64
	110	00	16	96
	2285	00	19	73
	109	00	13	08
	108	00	02	54
	147	00	04	89
	149	00	46	40
	148	00	17	97
	150	00	27	53
	2411	00	03	96
	146	00	51	30
	2375	00	10	47
	2312	00	24	14
	2381	00	00	46

		3	4	5
1				
2) बलौपुर (झिंसर)	182	00	04	24
	183	00	01	03
	184	00	37	00
	185	00	00	58
	178	00	00	62

मंडल/ तेहसील/ तालुक इवडवणा	ज़िला झजाजपुर	राज्य ओडिशा		
1) सातगाणा	140	00	01	38
	139	00	08	87
	138	00	12	39
	111	00	14	90
	सर्वे सं 111 और 114 के बीच में	00	05	92
	114	00	25	99
2) सक्षिया	208	00	10	91
	207	00	00	61
	204	00	11	65
	206	00	02	17
	194	00	08	60
	195	00	21	79
	197	00	00	11
	196	00	08	64
	4123	00	00	10
	191	00	00	59
	188	00	16	94
	190	00	00	35
	189	00	01	82
	187	00	04	54
	186	00	19	67
	4109	00	05	56
	266	00	18	64
	267	00	06	40
	4412	00	00	10
	4413	00	08	08
	269	00	04	04
	294	00	02	26
	298	00	09	69
	299	00	11	05
	300	00	23	91
	312	00	00	35
	314	00	34	13
	315	00	05	35
	317	00	09	33

1	2	3	4	5
2) समिआ (निरंतर)	318	00	02	46
	4274	00	07	37
	329	00	05	18
	333	00	11	65
	332	00	03	02
	331	00	17	68
	343	00	00	92
	761	00	03	17
	760	00	13	30
	758	00	48	39
	756	00	00	10
	757	00	04	07
	750	00	28	31
	749	00	06	93
	748	00	01	60
	746	00	05	56
	745	00	08	68
	742	00	08	21
	743	00	06	45
	744	00	09	62
	735	00	05	74
	790	00	08	46
	789	00	01	53
	792	00	49	81
	728	00	02	14
	727	00	01	87
	726	00	02	09
	772	01	19	70
	710	00	02	69
	709	00	10	58
	707	00	00	18
	706	00	00	68
	705	00	04	42
	704	00	07	20
	703	00	00	96
	1056	00	05	78
	1037	00	04	46
	1057	00	00	29
	1119	00	01	43
	1065	00	01	02

1	2	3	4	5
2) समिआ (निरंतर)	1064	00	02	33
	1063	00	05	05
	1071	00	14	90
	1072	00	16	68
	1070	00	00	10
	1074	00	05	38
	1075	00	11	00
	1076	00	00	52
	1023	00	12	16
	1024	00	00	50
	1022	00	03	93
	1082	00	00	31
	1084	00	12	31
	1085	00	23	87
	993	00	00	43
	1088	00	11	77
	992	00	03	89
	991	00	03	42
	4131	00	02	92
	989	00	07	29
	1087	00	00	62
	988	00	04	04
	987	00	25	15
	1089	00	01	22
	4444	00	14	46
	1094	00	20	91
	1093	00	00	17
	1096	00	02	43
	1097	00	18	83
	1606	00	03	80
	1711	00	12	60
	1724	00	08	28
	1723	00	00	32
	4297	00	00	10
	1725	00	10	97
	4415	00	10	10
	1720	00	01	23
	1730	00	01	35
	1729	00	22	60
	1728	00	01	76

1	2	3	4	5
2) समिआ (निरंतर)	1735	00	03	38
	1736	00	01	83
	1743	00	08	78
	1742	00	08	86
	4430	00	00	63
	4431	00	03	11
	1760	00	18	61
	1752	00	09	67
	4432	00	00	78
	1755	00	09	47
	1759	00	04	96
	1756	00	00	10
	1758	00	03	81
	1769	00	01	63
	1761	00	06	62
	1763	00	00	47
	1771	00	01	43
	4206	00	01	14
	1770	00	06	75
	1769	00	21	39
	1778	00	03	29
	1767	00	00	93
3) हरिचंदनपुर	325	00	03	00
	323	00	01	29
	322	00	14	42
	324	00	13	63
	331	00	01	02
	327	00	01	88
	316	00	22	27
	200	00	00	19
	315	00	03	04
	314	00	26	48
	305	00	05	32
	306	00	00	73
	304	00	18	87
	344	00	00	49
	341	00	06	34
	342	00	04	26
	343	00	03	53
	303	00	12	56

1	2	3	4	5
5) बडपता (निरंतर)				
133	00	04	68	
134	00	12	00	
136	00	01	99	
135	00	13	42	
138	00	04	68	
146	00	12	79	
140	00	01	29	
147	00	00	89	
145	00	01	02	
148	00	01	15	
211	00	03	70	
375	00	00	48	
223	00	00	96	
224	00	03	20	
144	00	16	66	
234	00	00	20	
226	00	00	70	
227	00	06	43	
232	00	01	50	
228	00	11	28	
229	00	02	02	
250	00	00	10	
249	00	03	14	
252	00	00	10	
408	00	00	76	
149	00	01	03	
263	00	02	09	
247	00	09	66	
266	00	00	10	
262	00	01	65	
377	00	03	51	
265	00	03	89	
264	00	03	00	
267	00	05	41	
268	00	07	70	
269	00	12	90	
274	00	00	10	
270	00	11	07	
271	00	01	30	
6) एंडारापडा	1021	00	06	30

	1	2	3	4	5
6)	एकात्मक (निरत)	566	00	00	20
		579	00	07	66
		578	00	03	00
		580	00	05	92
		582	00	21	12
		583	00	09	22
		584	00	06	38
		586	00	02	11
		588	00	01	14
		587	00	03	58
		591	00	00	43
		700	00	01	22
		617	00	00	10
		619	00	03	20
		620	00	05	30
		621	00	01	64
		622	00	02	67
		955	00	01	60
		953	00	03	69
		954	00	05	40
		956	00	06	28
		957	00	00	14
		958	00	05	50
		959	00	03	55
		962	00	00	10
		1059	00	03	32
		960	00	00	88
		961	00	01	92
		964	00	04	69
		965	00	06	16
		966	00	00	58
		1159	00	01	14
		1121	00	16	24
		974	00	03	31
		973	00	05	94
		972	00	08	51
		969	00	00	37
		971	00	01	72
		970	00	11	57
		990	00	08	03

	1	2	3	4	5
6) एंडारपडा (निरंतर)	992		00	10	63
	994		00	02	52
	993		00	03	57
	996		00	00	85
	997		00	00	10
	949		00	02	33
	912		00	00	10
	919		00	02	02
	918		00	00	67
	920		00	01	00
	921		00	02	42
	922		00	02	69
	917		00	00	10
	926		00	06	22
	923		00	02	20
	924		00	03	22
	938		00	05	90
	925		00	01	20
	937		00	06	74
	940		00	00	18
	928		00	00	24
	936		00	17	90
	930		00	02	85
	931		00	00	76
	929		00	04	27
7) पुनीआ	9		00	05	87
	10		00	12	54
	11		00	02	73
	13		00	06	40
	23		00	05	10
	12		00	13	76
	22		00	04	82
	18		00	23	91
	174		00	00	85
	175		00	01	94
	173		00	01	95
	17		00	00	62
	172		00	01	07
	176		00	02	11

मंडल/ तेहसिल/ तालुक/धर्मशाला

जिला झजाजपुर

राज्य ओडिशा

1) सहासपुर

188

00 20 05

1	2	3	4	5
1) सहस्रपुर (निरंतर)	190	00	01	06
	289	00	00	10
	241	00	01	36
	242	00	03	25
	243	00	03	99
	186	00	00	10
	184	00	13	81
	180	00	21	54
	179	00	00	10
	125	00	02	79
	126	00	03	58
	127	00	01	57
	124	00	10	28
	119	00	12	68
	128	00	00	28
	115	00	00	45
	129	00	00	10
	114	00	04	78
	113	00	01	35
	110	00	00	11
	111	00	01	05
	112	00	11	09
	117	00	00	87
	130	00	03	38
	131	00	00	84
	135	00	14	76
	98	00	17	92
	137	00	01	11
	95	00	19	33
	93	00	01	92
	94	00	01	09
	92	00	02	59
	91	00	04	45
	89	00	00	11
	90	00	04	01
2) वेरहमपुरसाना	गाँव सीमा और सर्वे सं 114 के बीच में	00	61	93
	157	00	02	05
	91	00	02	16
	104	00	00	03
	81	00	00	10

1	2	3	4	5
2) बेरहमपुरसाना (निरंतर)	92	00	06	24
	102	00	12	64
	103	00	03	76
	101	00	00	76
	100	00	01	35
	99	00	00	51
	95	00	00	10
	96	00	01	81
	97	00	04	29
	98	00	05	84
	64	00	13	09
	65	00	00	61
	63	00	03	23
	41	00	05	20
	42	00	07	92
	24	00	00	16
	44	00	00	34
	43	00	02	57
	23	00	01	62
	22	00	02	89
	8	00	05	54
3) पाइकेरापुर	429	00	00	18
	430	00	05	39
	435	00	00	42
	431	00	00	48
	432	00	07	12
	434	00	03	92
	433	00	04	94
	438	00	00	10
	448	00	12	41
	447	00	03	10
	452	00	09	45
	453	00	04	50
	454	00	23	95
	518	00	08	22
	517	00	01	05
	519	00	11	59
	520	00	04	39
	513	00	02	73
	512	00	01	60

1	2	3	4	5
3) पाइकेटपुर (मिरंगत)	521	00	17	41
	828	00	24	79
	836	00	00	28
	837	00	01	98
	827	00	01	57
	826	00	11	75
	825	00	06	32
	824	00	03	39
	844	00	04	27
	823	00	02	96
	819	00	00	44
	820	00	12	01
	936	00	04	01
	821	00	06	24
	935	00	01	27
	817	00	01	66
	807	00	00	32
	808	00	04	26
	809	00	07	15
	810	00	11	47
	811	00	03	80
	803	00	06	58
	802	00	04	68
	801	00	00	32
	800	00	08	45
4) राहडपुर	562	00	02	64
	570	00	00	11
	563	00	23	68
	631	00	02	92
	1099	00	03	11
	1100	00	00	14
	1062	00	02	32
	632	00	06	26
	630	00	02	38
	633	00	00	64
	636	00	02	69
	1025	00	00	92
	740	00	03	20
	741	00	01	32
	818	00	00	10

	1	2	3	4	5
4)	राहडपुर (निरंतर)	639	00	12	16
		644	00	02	73
		645	00	02	75
		646	00	00	10
		654	00	01	20
		653	00	00	97
		647	00	06	33
		657	00	02	33
		648	00	00	11
		641	00	15	47
		659	00	00	10
		688	00	11	39
		689	00	00	53
		690	00	01	36
		691	00	03	75
		692	00	04	16
		693	00	01	83
		694	00	00	99
		719	00	01	22
		1029	00	08	25
		1020	00	07	08
		785	00	00	13
		784	00	01	55
		754	00	16	44
		760	00	02	34
		759	00	01	80
		758	00	00	83
		764	00	04	79
		768	00	04	40
		767	00	01	22
		1114	00	04	06
		773	00	02	07
		772	00	01	31
		771	00	00	65
		774	00	05	65
		775	00	09	18
		776	00	03	23
5)	रेण्ड	53	00	10	18
		736	00	15	31
		683	00	00	24

1	2	3	4	5
5) रेप्ट (निरंतर)	682	00	02	94
	62	00	04	43
	684	00	16	51
	63	00	00	10
	158	00	04	58
	157	00	08	88
	174	00	11	51
	176	00	00	19
	177	00	03	85
	178	00	03	78
	179	00	01	36
	181	00	07	14
	186	00	01	12
	185	00	03	20
	184	00	01	64
	182	00	03	01
	183	00	02	61
	222	00	01	12
	270	00	04	20
	278	00	01	11
	279	00	06	49
	287	00	00	30
	286	00	02	82
	285	00	01	24
	650	00	01	15
	289	00	00	10
	280	00	00	31
	283	00	01	83
	282	00	00	10
	284	00	06	20
	290	00	05	36
	295	00	01	49
	300	00	00	10
	292	00	00	10
	291	00	01	68
	294	00	01	58
	301	00	00	66
	293	00	06	54
	231	00	01	06

मंडल/ तेहसिल/ तालुक :गोदिआ	जिला :हेंकानल	राज्य :ओडिशा
1) तालपदा	149	00 02 18

1	2	3	4	5
1) तालपदा (निरंतर)				
119		00	14	14
117		00	01	10
120		00	11	02
148		00	00	10
121		00	02	78
122		00	03	17
144		00	01	56
123		00	02	68
124		00	03	08
130		00	02	76
126		00	02	99
129		00	03	72
127		00	03	15
128		00	05	26
132		00	07	71
131		00	01	55
133		00	04	52
134		00	04	56
135		00	03	98
136		00	00	10
137		00	00	10
59		00	01	65
67		00	00	10
60		00	00	76
61		00	00	21
47		00	08	89
188		00	14	29
49		00	08	70
58		00	01	66
56		00	02	55
57		00	06	19
55		00	09	20
54		00	00	75
53		00	06	70
2) कुशपदा				
9		00	01	15
10		00	00	58
7		00	02	31
6		00	00	22
8		00	15	46
12		00	00	77

1	2	3	4	5
2) कुशपदा (निरंतर)	5 4 15 3 16 381 17 18 19 21 20	00 00 00 00 00 00 00 00 00 00	08 04 01 01 06 07 00 03 06 00 01	20 47 95 17 06 04 30 88 13 18 18
3) नीलावंशपुर	39 40 42 43 173 172 171 185 186	00 00 00 00 00 00 00 00 00	25 05 24 00 09 20 05 02 00	44 23 68 30 90 02 78 13 81
4) धड़लिआ	17 5 4 3 6 7 15 9 197 10	00 00 00 00 00 00 00 00 00 00	02 07 06 01 06 06 01 14 00 02	40 92 50 22 70 25 15 19 15 01
5) रिआ	277 276 275 278 274 273 249 272 665 271	00 00 00 00 00 00 00 00 00 00	09 04 02 06 00 09 00 12 00 01	38 25 02 12 41 68 11 89 25 19

1	2	3	4	5
5) रिआ (नियंत्र)	269	00	00	10
	280	00	07	37
	सर्वे सं 280 और 285 के बीच में	00	00	54
	285	00	05	24
	281	00	00	10
	284	00	05	60
	283	00	00	25
	286	00	05	18
	287	00	10	95
	288	00	06	29
	289	00	03	05
	295	00	04	07
	702	00	01	50
	296	00	03	11
	294	00	09	83
	301	00	00	10
	298	00	01	60
	299	00	08	20
	300	00	05	50
	690	00	00	54
	305	00	00	10
	सर्वे सं 305 और 316 के बीच में	00	03	16
	316	00	02	06
	17	00	02	28
	327	00	00	27
	713	00	01	10
	111	00	00	22
	318	00	06	64
	321	00	00	38
	320	00	00	58
	319	00	01	25
	110	00	10	34
	330	00	00	10
	101	00	17	38
	99	00	01	47
	100	00	11	15
	671	00	02	32
	97	00	01	40
	763	00	00	76
	764	00	00	67

1	2	3	4	5
6) रत्नपुर (निरंतर)	230	00	01	89
	218	00	11	87
	524	00	02	44
	216	00	21	19
	200	00	17	57
	563	00	11	35
	202	00	13	36
	559	00	06	16
	201	00	01	07
	203	00	08	32
7) एरपदा	1029	00	01	37
	1030	00	02	27
	1031	00	06	15
	1032	00	17	73
	1035	00	14	50
	1036	00	17	95
	1037	00	02	24

[फा सं. एल.-14014/111/2010-जी.पी.]
के .के .शर्मा, अवर सचिव

New Delhi, the 10th February, 2011

S. O. 505.—Whereas it appears to Government of India that it is necessary in public interest that for transportation of natural gas from onshore terminal at East coast of Andhra Pradesh of M/s Reliance Industries Limited to consumers in various parts of the country, Kakinada - Basudebpur - Howrah pipeline should be laid by M/s Relogistics Infrastructure Limited;

And whereas, it appears to Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which are described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of the notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to Shri Bhaskar Tripathy, Competent Authority, Relogistics Infrastructure Limited, 1st Floor, Fortune Tower, Chandrasekharpur, Bhubaneswar - 751023, Orissa State.

Schedule

Mandal/Tehsil/Taluk:Tangi-Choudwar		District:Cuttack	State:Orissa		
Village	Survey No./Sub-Division	Area to be acquired for			
1	2	Hec	Are	C-Are	
1) Chota Padagan	4	00	04	74	
	286	00	00	10	
	3	00	02	16	
	5	00	10	50	
	6	00	06	11	
	11	00	18	29	
	14	00	00	10	
	13	00	21	46	
	277	00	00	10	
	12	00	01	54	
	276	00	00	50	
	16	00	11	59	
	323	00	08	08	
	30	00	00	72	
	270	00	00	45	
	31	00	01	20	
	279	00	03	84	
	29	00	04	48	
	32	00	03	67	
	47	00	38	80	
	345	00	07	94	
	50	00	07	09	
	51	00	12	21	
	52	00	09	25	
	53	00	34	58	
	60	00	09	08	
	267	00	04	35	
	56	00	06	01	
	57	00	07	62	
	59	00	09	58	
	58	00	00	68	
2) Ambilijhari	361	00	07	22	
	360	00	18	31	
	362	00	09	48	
	363	00	03	64	
	372	00	13	19	
	379	00	03	45	

1	2	3	4	5
2) Ambilijhari (Contd)	371	00	13	58
	370	00	07	72
	368	00	04	91
	329	00	00	22
	327	00	00	28
	319	00	20	57
	320	00	09	24
	322	00	12	73
	324	00	00	65
	323	00	11	74
	295	00	14	25
	296	00	00	36
	297	00	11	09
	276	00	00	10
	275	00	22	48
	274	00	11	45
	273	00	06	30
	299	00	00	63
	300	00	58	50
	303	00	02	05
	304	00	19	00
	582	00	03	07
	256	00	12	92
	581	00	07	72
	259	00	09	24
3) Machhapangi	811	00	06	98
	421	00	01	03
	418	00	01	93
	419	00	00	41
	417	00	20	92
	416	00	00	25
	283	00	40	71
	287	00	01	31
	288	00	27	55
	291	00	04	87
	290	00	15	74
	292	00	00	10
	266	00	08	59
	268	00	00	28
	265	00	01	35
	846	00	06	20
	260	00	09	95
	261	00	04	87
	259	00	03	89
	201	00	05	71
	200	00	11	25
	199	00	03	14
	177	00	22	99
	211	00	09	87
	175	00	03	62
	212	00	06	81
	213	00	00	10
	172	00	02	16
	174	00	00	85

1	2	3	4	5
3) Machhapangi (Contd)				
173	00	20	50	
169	00	06	66	
166	00	00	10	
168	00	09	62	
167	00	03	08	
142	00	05	97	
165	00	00	36	
164	00	02	78	
146	00	29	59	
147	00	07	10	
148	00	18	11	
161	00	00	17	
160	00	17	95	
159	00	01	88	
841	00	00	10	
150	00	06	76	
151	00	07	31	
839	00	24	71	
840	00	12	82	
874	00	36	05	
119	00	01	53	
896	00	07	56	
865	00	07	33	
118	00	42	40	
153	00	13	66	
894	00	07	14	
892	00	06	40	
117	00	91	10	
869	00	17	46	
116	00	01	77	
917	00	05	41	
115	00	43	45	
910	00	00	77	
890	00	04	46	
891	00	16	73	
899	00	13	56	
107	00	00	38	
106	00	13	73	
923	00	03	35	
930	00	03	76	
109	00	07	17	
824	00	08	47	
111	00	04	62	
820	00	18	02	
922	00	11	62	
828	00	01	57	
907	00	14	48	
78	00	04	25	
72	00	00	38	
68	00	21	60	
816	00	09	62	
873	00	10	90	
815	00	00	26	
898	00	11	80	

1	2	3	4	5
3) Machhapangi (Contd)	924	00	03	33
	62	00	22	96
	900	00	06	50
	53	00	24	02
	47	00	03	80
	48	00	17	40
	44	00	07	44
	33	00	03	76
	34	00	17	60
4) Patalasingara	232	00	38	55
	229	00	00	22
	231	00	08	27
	230	00	08	48
	208	00	00	10
	207	00	02	36
	904	00	03	79
	181	00	06	02
	182	00	04	18
	183	00	11	40
	187	00	02	34
	186	00	02	86
	188	00	01	36
	190	00	03	41
	191	00	04	67
	192	00	00	76
	172	00	02	55
	173	00	08	99
	174	00	00	16
	175	00	03	29
	176	00	00	10
	163	00	10	92
	164	00	00	58
	159	00	05	38
	158	00	02	97
	157	00	12	44
	132	00	00	15
	133	00	17	03
	152	00	03	64
	134	00	00	10
	151	00	01	90
	150	00	03	51
	149	00	27	90
	146	00	01	66
	147	00	03	84
	63	00	00	25
	64	00	22	56
	74	00	07	03
	62	00	04	69
	66	00	00	49
	67	00	01	95
	69	00	04	61
	58	00	18	42

1	2	3	4	5
4) Patalasingara (Contd)	70	00	01	83
	56	00	20	99
	55	00	01	18
	54	00	00	10
	53	00	14	20
	52	00	01	45
	646	00	32	74
	647	00	00	10
	650	00	00	11
	651	00	00	61
	645	00	06	06
	652	00	08	31
	653	00	17	80
5) Abhayapur	358	00	20	90
	616	00	02	16
	617	00	00	34
	357	00	20	42
	359	00	00	54
	360	00	29	48
	361	00	02	84
	363	00	07	98
	362	00	03	20
	338	00	00	10
	337	00	14	79
	366	00	00	14
	136	00	07	16
	134	00	03	04
	135	00	06	48
	132	00	36	61
	145	00	12	01
	144	00	00	17
	162	00	09	12
	636	00	02	61
	160	00	02	67
	159	00	31	52
	158	00	04	14
	156	00	17	67
	148	00	00	14
	155	00	14	40
	154	00	07	88
	153	00	00	17
	711	00	26	34
	152	00	21	49
	151	00	00	30
	186	00	04	26
	189	00	38	82
	187	00	12	47
6) Sapha	667	00	05	30
	668	00	29	48
	651	00	02	65
	656	00	11	04
	655	00	07	60
	657	00	03	24

1	2	3	4	5
6) Sapha (Contd)	2562	00	01	11
	654	00	34	71
	228	00	13	18
	2560	00	05	29
	227	00	09	23
	199	00	33	37
	198	00	05	65
	167	00	48	63
	2565	00	00	10
	169	00	02	03
	171	00	00	38
	68	00	01	86
	179	00	40	31
	123	00	03	74
	174	00	07	19
	149	00	16	03
	150	00	02	56
	148	00	00	99
	136	00	05	36
	129	00	04	87
	128	00	15	89
	151	00	00	32
	152	00	07	47
	127	00	06	53
	125	00	05	63
	122	00	11	03
	121	00	29	01
	117	00	20	38
	119	00	42	12
	118	00	00	10
	108	00	11	79
	86	00	30	77
	72	00	20	95
	71	00	17	89
	69	00	07	38
	62	00	25	60
	66	00	00	10
	65	00	05	36
	63	00	10	59
	61	00	00	16
	60	00	14	97
	58	00	07	47

Mandal/Tehsil/Taluk:Gurudijhatia	District:Cuttack	State:Orissa		
1) Kumarpur	114	00	14	10
	111	00	09	85
	110	00	13	68
2) Balipur	80	00	06	83
	2465	00	18	63
	84	00	01	42
	86	00	20	85
	88	00	09	72
	89	00	03	03
	87	00	04	51

1	2	3	4	5
2) Balipur (Contd)	112	00	01	73
	90	00	01	64
	110	00	16	96
	2285	00	19	73
	109	00	13	08
	108	00	02	54
	147	00	04	89
	149	00	46	40
	148	00	17	97
	150	00	27	53
	2411	00	03	96
	146	00	51	30
	2375	00	10	47
	2312	00	24	14
	2381	00	00	46
	182	00	04	24
	183	00	01	53
	184	00	37	00
	185	00	00	58
	178	00	00	62

Mandal/Tehsil/Taluk:Badachana	District:Jajapur	State:Orissa		
1) Satamana	140	00	01	38
	139	00	08	87
	138	00	13	39
	111	00	14	90
	In bet suy no. 111 & 114	00	05	92
	114	00	25	99
2) Samia	208	00	10	91
	207	00	00	61
	204	00	11	65
	206	00	02	17
	194	00	08	60
	195	00	21	79
	197	00	00	11
	196	00	08	64
	4123	00	00	10
	191	00	00	59
	188	00	16	94
	190	00	00	35
	189	00	01	82
	187	00	04	54
	186	00	19	67
	4109	00	05	56
	266	00	18	64
	267	00	06	40
	4412	00	00	10
	4413	00	08	08
	269	00	04	04
	294	00	02	26
	298	00	09	69
	299	00	11	05

1	2	3	4	5
2) Samia (Contd)	300	00	23	91
	312	00	00	35
	314	00	34	13
	315	00	05	35
	317	00	09	33
	318	00	02	46
	4274	00	07	37
	329	00	05	18
	333	00	11	65
	332	00	03	02
	331	00	17	68
	343	00	00	92
	761	00	03	17
	760	00	13	30
	758	00	48	39
	756	00	00	10
	757	00	04	07
	750	00	28	31
	749	00	06	93
	748	00	01	60
	746	00	05	56
	745	00	08	68
	742	00	08	21
	743	00	06	45
	744	00	09	62
	735	00	05	74
	790	00	08	46
	789	00	01	53
	792	00	49	81
	728	00	02	14
	727	00	01	87
	726	00	02	09
	772	01	19	70
	710	00	02	69
	709	00	10	58
	707	00	00	18
	706	00	00	68
	705	00	04	42
	704	00	07	20
	703	00	00	96
	1056	00	05	78
	1037	00	04	46
	1057	00	00	29
	1119	00	01	43
	1065	00	01	02

1	2	3	4	5
2) Samia (Contd)				
	1064	00	02	33
	1063	00	05	05
	1071	00	14	90
	1072	00	16	68
	1070	00	00	10
	1074	00	05	38
	1075	00	11	00
	1076	00	00	52
	1023	00	12	16
	1024	00	00	50
	1022	00	03	93
	1082	00	00	31
	1084	00	12	31
	1085	00	23	87
	993	00	00	43
	1088	00	11	77
	992	00	03	89
	991	00	03	42
	4131	00	02	92
	989	00	07	29
	1087	00	00	62
	988	00	04	04
	987	00	25	15
	1089	00	01	22
	4444	00	14	46
	1094	00	20	91
	1093	00	00	17
	1096	00	02	43
	1097	00	18	83
	1606	00	03	80
	1711	00	12	60
	1724	00	08	28
	1723	00	00	32
	4297	00	00	10
	1725	00	10	97
	4415	00	10	10
	1720	00	01	23
	1730	00	01	35
	1729	00	22	60
	1728	00	01	76

1	2	3	4	5
2) Samia (Contd)				
	1735	00	03	38
	1736	00	01	83
	1743	00	08	78
	1742	00	08	86
	4430	00	00	63
	4431	00	03	11
	1760	00	18	61
	1752	00	09	67
	4432	00	00	78
	1755	00	09	47
	1759	00	04	96
	1756	00	00	10
	1758	00	03	81
	1709	00	01	63
	1761	00	06	62
	1763	00	00	47
	1771	00	01	43
	4206	00	01	14
	1770	00	06	75
	1769	00	21	39
	1778	00	03	29
	1767	00	00	93
3) Harichandanpur	325	00	03	00
	323	00	01	29
	322	00	14	42
	324	00	13	63
	331	00	01	02
	327	00	01	88
	316	00	22	27
	200	00	00	19
	315	00	03	04
	314	00	26	48
	305	00	05	32
	306	00	00	73
	304	00	18	87
	344	00	00	49
	341	00	06	34
	342	00	04	26
	343	00	03	53
	303	00	12	56

1	2	3	4	5
3) Harichandapur (Contd)				
	302	00	09	95
	251	00	02	02
	301	00	02	22
	299	00	05	38
	252	00	04	66
	253	00	01	67
	254	00	00	38
	298	00	15	76
	297	00	20	08
	295	00	19	79
	292	00	00	10
	293	00	02	47
	294	00	05	40
	264	00	06	44
	273	00	00	54
	265	00	15	47
4) Kasiapal	82	00	49	33
	81	00	06	55
	73	00	03	89
	22	00	00	21
	21	00	00	10
	19	00	00	62
	18	00	00	16
	24	00	03	97
	25	00	07	61
	26	00	13	62
	35	00	02	20
	34	00	01	96
	29	00	03	92
	33	00	07	52
	32	00	04	19
	43	00	10	64
	44	00	00	37
	31	00	02	64
	45	00	07	24
	48	00	01	03
	47	00	02	53
	46	00	00	35
5) Badapala	126	00	18	38
	132	00	00	96

1	2	3	4	5
5) Badapala (Contd)				
	133	00	04	68
	134	00	12	00
	136	00	01	99
	135	00	13	42
	138	00	04	68
	146	00	12	79
	140	00	01	29
	147	00	00	89
	145	00	01	02
	148	00	01	15
	211	00	03	70
	375	00	00	48
	223	00	00	96
	224	00	03	20
	144	00	16	66
	234	00	00	20
	226	00	00	70
	227	00	06	43
	232	00	01	50
	228	00	11	28
	229	00	02	02
	250	00	00	10
	249	00	03	14
	252	00	00	10
	408	00	00	76
	149	00	01	03
	263	00	02	09
	247	00	09	66
	266	00	00	10
	262	00	01	65
	377	00	03	51
	265	00	03	89
	264	00	03	00
	267	00	05	41
	268	00	07	70
	269	00	12	90
	274	00	00	10
	270	00	11	07
	271	00	01	30
6) Endrapada	1021	00	06	30

1	2	3	4	5
6) Endrapada (Contd)	566	00	00	20
	579	00	07	66
	578	00	03	00
	580	00	05	92
	582	00	21	12
	583	00	09	22
	584	00	06	38
	586	00	02	11
	588	00	01	14
	587	00	03	58
	591	00	00	43
	700	00	01	22
	617	00	00	10
	619	00	03	20
	620	00	05	30
	621	00	01	64
	622	00	02	67
	955	00	01	60
	953	00	03	69
	954	00	05	40
	956	00	06	28
	957	00	00	14
	958	00	05	50
	959	00	03	55
	962	00	00	10
	1059	00	03	32
	960	00	00	88
	961	00	01	92
	964	00	04	69
	965	00	06	16
	966	00	00	58
	1159	00	01	14
	1121	00	16	24
	974	00	03	31
	973	00	05	94
	972	00	08	51
	969	00	00	37
	971	00	01	72
	970	00	11	57
	990	00	08	03

1	2	3	4	5
6) Endrapada (Contd)	992	00	10	63
	994	00	02	52
	993	00	03	57
	996	00	00	85
	997	00	00	10
	949	00	02	33
	912	00	00	10
	919	00	02	02
	918	00	00	67
	920	00	01	00
	921	00	02	42
	922	00	02	69
	917	00	00	10
	926	00	06	22
	923	00	02	20
	924	00	03	22
	938	00	05	90
	925	00	01	20
	937	00	06	74
	940	00	00	18
	928	00	00	24
	936	00	17	90
	930	00	02	85
	931	00	00	76
	929	00	04	27
7) Punia	9	00	05	87
	10	00	12	54
	11	00	02	73
	13	00	06	40
	23	00	05	10
	12	00	13	76
	22	00	04	82
	18	00	23	91
	174	00	00	85
	175	00	01	94
	173	00	01	95
	17	00	00	62
	172	00	01	07
	176	00	02	11

Mandal/Tehsil/Taluk:Dharmasala	District:Jajapur	State:Orissa
1) Sahaspur	188	00 20 05

1	2	3	4	5
1) Sahaspur (Contd)				
	190	00	01	06
	289	00	00	10
	241	00	01	36
	242	00	03	25
	243	00	03	99
	186	00	00	10
	184	00	13	81
	180	00	21	54
	179	00	00	10
	125	00	02	79
	126	00	03	58
	127	00	01	57
	124	00	10	28
	119	00	12	68
	128	00	00	28
	115	00	00	45
	129	00	00	10
	114	00	04	78
	113	00	01	35
	110	00	00	11
	111	00	01	05
	112	00	11	09
	117	00	00	87
	130	00	03	38
	131	00	00	84
	135	00	14	76
	98	00	17	92
	137	00	01	11
	95	00	19	33
	93	00	01	92
	94	00	01	09
	92	00	02	59
	91	00	04	45
	89	00	00	11
	90	00	04	01
2) Berhampurana	In bet VB & suy no. 157	00	61	93
	157	00	02	05
	91	00	02	16
	104	00	00	03
	81	00	00	10

1	2	3	4	5
2) Berhampurana (Contd)	92	00	06	24
	102	00	12	64
	103	00	03	76
	101	00	00	76
	100	00	01	35
	99	00	00	51
	95	00	00	10
	96	00	01	81
	97	00	04	29
	98	00	05	84
	64	00	13	09
	65	00	00	61
	63	00	03	23
	41	00	05	20
	42	00	07	92
	24	00	00	16
	44	00	00	34
	43	00	02	57
	23	00	01	62
	22	00	02	89
	8	00	05	54
3) Paikerapur	429	00	00	18
	430	00	05	39
	435	00	00	42
	431	00	00	48
	432	00	07	12
	434	00	03	92
	433	00	04	94
	438	00	00	10
	448	00	12	41
	447	00	03	10
	452	00	09	45
	453	00	04	50
	454	00	23	95
	518	00	08	22
	517	00	01	05
	519	00	11	59
	520	00	04	39
	513	00	02	73
	512	00	01	60

1	2	3	4	5
3) Paikerapur (Contd)	521	00	17	41
	828	00	24	79
	836	00	00	28
	837	00	01	98
	827	00	01	57
	826	00	11	75
	825	00	06	32
	824	00	03	39
	844	00	04	27
	823	00	02	96
	819	00	00	44
	820	00	12	01
	936	00	04	01
	821	00	06	24
	935	00	01	27
	817	00	01	66
	807	00	00	32
	808	00	04	26
	809	00	07	15
	810	00	11	47
	811	00	03	80
	803	00	06	58
	802	00	04	68
	801	00	00	32
	800	00	08	45
4) Raharpur	562	00	02	64
	570	00	00	11
	563	00	23	68
	631	00	02	92
	1099	00	03	11
	1100	00	00	14
	1062	00	02	32
	632	00	06	26
	630	00	02	38
	633	00	00	64
	636	00	02	69
	1025	00	00	92
	740	00	03	20
	741	00	01	32
	818	00	00	10

	1	2	3	4	5
4) Raharpur (Contd)					
	639		00	12	16
	644		00	02	73
	645		00	02	75
	646		00	00	10
	654		00	01	20
	653		00	00	97
	647		00	06	33
	657		00	02	33
	648		00	00	11
	641		00	15	47
	659		00	00	10
	688		00	11	39
	689		00	00	53
	690		00	01	36
	691		00	03	75
	692		00	04	16
	693		00	01	83
	694		00	00	99
	719		00	01	22
	1029		00	08	25
	1020		00	07	08
	785		00	00	13
	784		00	01	55
	754		00	16	44
	760		00	02	34
	759		00	01	80
	758		00	00	83
	764		00	04	79
	768		00	04	40
	767		00	01	22
	1114		00	04	06
	773		00	02	07
	772		00	01	31
	771		00	00	65
	774		00	05	65
	775		00	09	18
	776		00	03	23
5) Rampei					
	53		00	10	18
	736		00	15	31
	683		00	00	24

1	2	3	4	5
5) Rampei (Contd)	682	00	02	94
	62	00	04	43
	684	00	16	51
	63	00	00	10
	158	00	04	58
	157	00	08	88
	174	00	11	51
	176	00	00	19
	177	00	03	85
	178	00	03	78
	179	00	01	36
	181	00	07	14
	186	00	01	12
	185	00	03	20
	184	00	01	64
	182	00	03	01
	183	00	02	61
	222	00	01	12
	270	00	04	20
	278	00	01	11
	279	00	06	49
	287	00	00	30
	286	00	02	82
	285	00	01	24
	650	00	01	15
	289	00	00	10
	280	00	00	31
	283	00	01	83
	282	00	00	10
	284	00	06	20
	290	00	05	36
	295	00	01	49
	300	00	00	10
	292	00	00	10
	291	00	01	68
	294	00	01	58
	301	00	00	66
	293	00	06	54
	231	00	01	06

Mandal/Tehsil/Taluk:Gandia	District:Dhenkanal	State:Orissa		
1) Talapada	149	00	02	18

1	2	3	4	5
1) Lalapada (Contd)				
	119	00	14	14
	117	00	01	10
	120	00	11	02
	148	00	00	10
	121	00	02	78
	122	00	03	17
	144	00	01	56
	123	00	02	68
	124	00	03	08
	130	00	02	76
	126	00	02	99
	129	00	03	72
	127	00	03	15
	128	00	05	26
	132	00	07	71
	131	00	01	55
	133	00	04	52
	134	00	04	56
	135	00	03	98
	136	00	00	10
	137	00	00	10
	59	00	01	65
	67	00	00	10
	60	00	00	76
	61	00	00	21
	47	00	08	89
	188	00	14	29
	49	00	08	70
	58	00	01	66
	56	00	02	55
	57	00	06	19
	55	00	09	20
	54	00	00	75
	53	00	06	70
2) Kushapada	9	00	01	15
	10	00	00	58
	7	00	02	31
	6	00	00	22
	8	00	15	46
	12	00	00	77

1	2	3	4	5
2) Kushapada (Contd)	5	00	08	20
	4	00	04	47
	15	00	01	95
	3	00	01	17
	16	00	06	06
	381	00	07	04
	17	00	00	30
	18	00	03	88
	19	00	06	13
	21	00	00	18
	20	00	01	18
3) Nilambarpur	39	00	25	44
	40	00	05	23
	42	00	24	68
	43	00	00	30
	173	00	09	90
	172	00	20	02
	171	00	05	78
	185	00	02	13
	186	00	00	81
4) Dhaulia	17	00	02	40
	5	00	07	92
	4	00	06	50
	3	00	01	22
	6	00	06	70
	7	00	06	25
	15	00	01	15
	9	00	14	19
	197	00	00	15
	10	00	02	01
5) Ria	277	00	09	38
	276	00	04	25
	275	00	02	02
	278	00	06	12
	274	00	00	41
	273	00	09	68
	249	00	00	11
	272	00	12	89
	665	00	00	25
	271	00	01	19

1	2	3	4	5
5) Ria (Contd)				
	269	00	00	10
	280	00	07	37
	In bet suy no. 280 & 285	00	00	54
	285	00	05	24
	281	00	00	10
	284	00	05	60
	283	00	00	25
	286	00	05	18
	287	00	10	95
	288	00	06	29
	289	00	03	05
	295	00	04	07
	702	00	01	50
	296	00	03	11
	294	00	09	83
	301	00	00	10
	298	00	01	60
	299	00	08	20
	300	00	05	50
	690	00	00	54
	305	00	00	10
	In bet suy no. 305 & 316	00	03	16
	316	00	02	06
	17	00	02	28
	327	00	00	27
	713	00	01	10
	111	00	00	22
	318	00	06	64
	321	00	00	38
	320	00	00	58
	319	00	01	25
	110	00	10	34
	330	00	00	10
	101	00	17	38
	99	00	01	47
	100	00	11	15
	671	00	02	32
	97	00	01	40
	763	00	00	76
	764	00	00	67

1	2	3	4	5
5) Ria (Contd)	102	00	01	98
	62	00	00	10
	63	00	12	38
	64	00	01	56
	61	00	04	41
	60	00	05	43
	70	00	04	27
	677	00	13	31
	59	00	02	27
	654	00	01	63
	Nala bet suy no. 654 & 79	00	05	10
	79	00	25	70
	80	00	01	66
6) Ratanpur	505	00	01	47
	467	00	01	74
	In bet suy no. 467 & 468	00	02	79
	468	00	01	67
	466	00	00	21
	465	00	00	10
	470	00	12	19
	463	00	10	09
	462	00	00	10
	461	00	10	16
	438	00	01	38
	439	00	02	63
	440	00	13	32
	441	00	03	88
	442	00	00	10
	367	00	03	55
	364	00	04	36
	540	00	03	02
	539	00	01	13
	366	00	00	15
	365	00	17	41
	355	00	01	50
	357	00	19	22
	541	00	03	55
	359	00	02	07
	581	00	01	77
	542	00	00	28
	352	00	11	99
	237	00	01	66
	235	00	01	69
	544	00	01	75
	234	00	06	43
	543	00	00	98
	231	00	17	87
	229	00	06	20
	230	00	01	89
	218	00	11	87
	524	00	02	44
	216	00	21	19

1	2	3	4	5
6) Ratanpur (Contd)	200	00	17	57
	563	00	11	35
	202	00	13	36
	559	00	06	16
	201	00	01	07
	203	00	08	32
7) Erapada	1029	00	01	37
	1030	00	02	27
	1031	00	06	15
	1032	00	17	73
	1035	00	14	50
	1036	00	17	95
	1037	00	02	24

[F. No. L-14014/111/2010-G.P.]

K. K. SHARMA, Under Secy.

नई दिल्ली, 10 फरवरी, 2011

का. आ. 506.—भारत सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि तमिलनाडु में तिरुतन्नी के पास विजयवाड़ा-नैलोर-चैन्नई पाइपलाइन के टर्मिनल प्लाइंट से देश के विभिन्न हिस्सों में उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए मैसर्स रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड द्वारा चैन्नई-ट्यूटीकोरिन पाइपलाइन विछाई जानी चाहिए;

और, भारत सरकार को उक्त पाइपलाइन विछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसके भीतर उक्त पाइपलाइन विछाई जाने का प्रस्ताव है और जो इस अधिसूचना से उपावर्ष अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, भारत सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितवर्द्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन जारी की गई अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के सीधे पाइपलाइन विछाई जाने के लिए उपयोग के अधिकार के अर्जन के संबंध में श्री वी. वेंकटसुल्तु, सक्षम प्राधिकारी, रिलोजिस्टिक्स इन्फ्रास्ट्रक्चर लिमिटेड, न. 89, डॉ. राधाकृष्णन सलाई, छठवीं मंजिल, भैलापुर, चैन्नई - 600004, तमिलनाडु राज्य को लिखित रूप में आशेप भेज सकेगा।

अनुसूची

तालुक विभागीय मलाय	जिला विभागीय मलाय	राज्य विभागीय				
		आर.ओ.यू.अर्जित करने के लिए क्षेत्रफल				
		हेक्टेयर	एयर	सि एयर		
गाँव का नाम	सर्वे सं./सब डिविजन सं.	1	2	3	4	5
1) कोतटावडी	50/2		00	11	30	
	49/1		00	12	15	
	49/3		00	06	45	
	49/5		00	00	40	
	49/2		00	04	48	
	47/1		00	11	86	
	47/2		00	16	76	
	48/6		00	02	28	
	47/5		00	15	15	
	43/1		00	14	95	
	43/3		00	16	94	
	43/9		00	20	35	
	43/4		00	04	65	
	43/8		00	05	73	
	42		00	06	23	
	41/3		00	15	58	
	38/1		00	10	04	
	39/4		00	03	19	
	39/5		00	03	07	
	39/6		00	06	31	
	40		00	35	63	
	35/1		00	12	36	
	35/2		00	18	46	
	33/3		00	15	71	
	33/4		00	13	51	
	131		00	74	17	
	130		00	35	49	
	129/1		00	01	15	
	129/2		00	24	59	
	129/3		00	36	30	
	112		00	00	10	
	127/1		00	21	54	
	128/10		00	17	38	
	233/3		00	14	24	
	233/8		00	34	52	
	126/1		00	29	54	
	235/1		00	04	56	

1	2	3	4	5
1) कोतंटवडी (निरंतर)	235/18 235/2 235/3 235/4 235/5 236/15 236/16 236/5 236/4 237/2 238	00 00 00 00 00 00 00 00 00 00 00	31 07 02 23 05 15 16 07 05 04 42	32 93 61 75 98 09 51 50 19 66 14
2) एसमपुँडी	247 248/4 248/5 248/6 248/7 245 250/3ए1 251/1 252/1ए	00 00 00 00 00 00 00 00 00	53 07 11 19 01 19 80 03 63	87 11 83 86 78 68 28 95 80
3) वलुनडलांकुनम	33/2ए 33/2बी 33/2ई 34/6 36 37 30 16/1 16/2 28 16/3 17/2 26 24 23 22 162	00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00	10 05 00 00 67 11 07 01 70 10 13 01 71 61 40 37 70	33 88 89 51 95 85 63 63 04 75 30 11 99 79 15 82 80
4) गन्धपापुरम	37 38 35 40 33	01 00 00 00 00	02 05 25 30 32	02 90 33 38 12

1	2	3	4	5
4) गंगापुरम् (निरंतर)				
46	00	00	45	
48	00	24	71	
47	00	17	95	
50	00	22	64	
54/1बी	00	05	57	
54/1ए	00	30	93	
54/13	00	00	10	
54/4ए	00	00	27	
54/4बी	00	02	34	
53	00	20	69	
सर्वे न. 52/9 में रास्ता	00	03	06	
52/3	00	02	52	
52/6	00	15	95	
52/8ए	00	09	12	
52/8बी	00	07	54	
59/3	00	01	98	
59/1ए	00	12	86	
59/1बी	00	19	57	
59/2डी	00	23	59	
62/1	00	05	13	
62/3ए	00	13	40	
62/3ड	00	08	39	
62/2	00	01	24	
62/4	00	01	19	
62/3एच	00	07	96	
62/5	00	06	41	
62/6	00	06	60	
62/7	00	05	72	
62/8ए	00	07	13	
61/1	00	17	72	
61/2	00	12	61	
96/2	00	22	31	
96/5	00	06	69	
96/14	00	08	49	
5) कल्लिकूलम्				
118/1बी	00	14	40	
118/2	00	28	48	
118/3	00	06	47	
123/1बी	00	01	26	
123/1ए2	00	22	08	
123/2	00	01	21	
123/3ए2	00	01	12	
123/3ए1	00	14	32	

1	2	3	4	5
5) कर्णिकालम (निरंतर)	123/3वी	00	19	64
	123/3सी	00	00	29
	120/2आय	00	11	23
	120/2जे	00	08	03
	120/2एच	00	00	10
	121/1	00	12	28
	121/2ई	00	07	69
	121/2एफ	00	18	82
	121/2जी	00	12	66
6) कर्णष्टुष्टु	2/1	00	03	09
	2/7ए	00	00	10
	2/8ए	00	07	32
	2/9ए	00	02	10
	2/9वी	00	02	97
	2/10	00	01	84
	2/11सी	00	00	74
	2/16	00	00	89
	2/17ए	00	05	71
	2/18वी4	00	01	07
	17वी	00	00	30
	2/18वी2	00	04	37
	2/18वी3	00	02	51
	19ए	00	00	10
	2/19वी	00	04	05
	2/20	00	01	31
	2/21	00	00	10
	15	00	18	84
	14	00	35	42
	13	00	04	13
	8	00	71	10
	10	00	30	73
	65/3	00	01	62
	65/4ए	00	12	81
	65/4वी1	00	02	52
	65/4वी2	00	19	54
	65/2वी2	00	01	56
	65/2ए2	00	09	95
	64	00	00	29
	65/2ए3	00	06	74
	65/2ए6	00	08	02
	63/1ए3	00	04	37
	63/1ए1	00	09	31

1	2	3	4	5
8) सोमसाप्ती (निरंतर)	370/1	00	18	84
	369/5	00	39	78
	369/6	00	01	15
	सर्वे न. 368 में नाला	00	09	74
	351	00	06	38
	349/2	00	49	93
	348/7	00	17	40
	348/6	00	26	78
	348/5	00	02	71
	346/1	00	25	75
	384/3	00	31	63
	384/5	00	19	37
	384/1	00	14	76
	सर्वे न. 383 में रास्ता	00	12	38
	389/3	00	07	69
	389/2वी	00	07	15
	389/2ए	00	17	56
	389/4सी	00	16	77
	389/4ए2	00	00	65
	389/4ए1	00	12	14
	389/4वी	00	15	86
	389/1	00	14	02
9) कड़वाई	63	00	42	06
	62/15	00	36	25
	62/14	00	01	87
	62/13	00	01	14
	62/11	00	04	89
	61/6	00	03	42
	61/5	00	15	81
	61/9	00	11	58
	61/10	00	20	02
	60/13	00	01	72
	50	00	28	87
	49/5	00	19	29
	49/6	00	07	68
	48/6	00	33	84
	44/3	00	12	03
	44/4	00	08	75
	44/11	00	03	42
	44/12	00	02	33
	44/10	00	28	28
	43/1	00	07	91

1	2	3	4	5
9) कडंबाई (निरंतर)	43/19बी	00	08	16
	43/19ए	00	08	98
	43/16	00	05	76
	43/18	00	02	98
	43/17	00	04	58
	43/12	00	00	82
	42/1	00	06	05
	42/4	00	00	66
	42/3	00	05	26
	42/21	00	05	55
	42/9	00	06	71
	सर्वे न. 42/10 में रास्ता	00	01	48
	42/20	00	00	10
	42/14	00	02	25
	42/15	00	05	80
	42/22	00	03	21
	42/13	00	22	62
	42/12	00	00	73
	39/1	00	08	85
	39/2	00	07	77
	38/5	00	38	72
	सर्वे न. 88 में रास्ता	00	05	42
	89/2	00	16	07
	89/3एफ	00	05	39
	89/3ई	00	24	60
	86/3ए	00	07	19
	90/10ए	00	07	48
	90/11	00	05	25
	91/3	00	07	00
	91/2सी	00	07	07
	91/2बी	00	10	00
	91/2ए4	00	25	05
	91/2ए3	00	00	45
	123/1	00	00	30
	122/4	00	17	26
	122/5	00	16	67
	122/6	00	16	47
	123/4	00	06	21
	121/4	00	13	03
	123/5	00	10	26
	123/6	00	10	36
10) काटुवेलांनडल	24/1ए1	00	43	95

1	2	3	4	5
12) नेयकुप्पन (निरंतर)	35/8वी	00	01	96
	35/9ए	00	02	86
	35/9बी	00	04	14
	35/10	00	07	15
	35/7	00	12	29
	43	00	29	24
	44/1	00	01	35
	56/1	00	08	21
	56/2	00	00	26
	44/3बी	00	18	58
	44/4	00	17	71
	44/2बी	00	19	58
	44/5	00	11	46
	44/6ए	00	01	32
	45/6	00	00	10
	52/7	00	07	73
	52/6	00	06	43
	52/2	00	00	10
	52/3	00	00	65
	52/4	00	01	90
	52/5	00	02	84
	52/9	00	15	29
	52/11	00	07	05
	51/5	00	18	46
	51/4	00	16	30
	51/6	00	01	97
13) पेरियाकल्लपडी	81/2ए2	00	06	73
	81/2ए1	00	07	35
	81/4	00	07	04
	81/2बी1बी	00	13	08
	81/5	00	09	98
	81/2बी1ए2	00	01	98
	81/6	00	11	35
	82/1बी2बी	00	05	06
	82/1बी2डी	00	04	04
	82/1बी3	00	03	63
	82/1बी4	00	01	90
	82/1बी5	00	02	42
	82/1बी1	00	04	62
	82/1ए	00	00	37
	82/2ई	00	19	46
	82/2सी	00	01	36

1	2	3	4	5
13) पेरियाकल्लपडी (निरंतर)	82/2डी	00	10	79
	64/1ए1	00	10	88
	64/1ए2	00	11	82
	64/1ए3	00	11	04
	65/2ए2	00	06	05
	64/1वी	00	00	91
	सर्वे न. 00000 में चैनल	00	05	27
	65/1सी1	00	11	65
	65/1सी3	00	13	60
	65/1सी2	00	05	00
	65/1सी2ई	00	20	86
	65/1सी2वी	00	03	68
	65/1सी2ए	00	00	10
	सर्वे न. 65/3 में रास्ता	00	02	69
	62/1सी1	00	02	89
	62/2वी1	00	00	10
	62/1वी	00	02	83
	62/1ए2	00	05	57
	62/1ए3	00	08	62
	62/1ए4	00	06	93
	62/1ए5	00	17	92
	61/8डी	00	02	94
	61/8ई	00	12	67
	62/5ए	00	05	32
	61/6	00	02	60
	61/5ई	00	00	35
	99	00	19	92
	56/1जी	00	02	52
	56/2डी	00	07	40
	56/3	00	00	96
	56/4वी	00	12	54
	56/7वी	00	09	56
	56/8वी	00	04	59
	56/8ए	00	04	35
	56/10डी	00	05	00
	56/10सी	00	03	98
	55/10	00	13	54
	55/11	00	05	05
	55/9वी	00	05	29
	55/15ए	00	03	59
	55/15वी	00	02	38
	55/15सी	00	01	28

1	2	3	4	5
13) ਪੇਰਿਆਕਲਸਾਪਡੀ (ਨਿਰਟਰ)	55/15ਡੀ	00	00	15
	55/4	00	00	10
	55/9ਏ	00	12	60
	55/8	00	10	29
	55/7	00	01	02
	54	00	15	83
	7/3ਸੀ4ਏ	00	02	20
	7/3ਸੀ4ਬੀ	00	14	47
	7/3ਸੀ3	00	03	71
	7/3ਸੀ2	00	06	03
	7/3ਸੀ1	00	01	78
	24	00	18	22
	25/4ਬੀ	00	11	25
	25/4ਏ	00	02	50
	25/5ਏ	00	00	10
	25/6ਸੀ	00	11	47
	25/7ਸੀ	00	05	60
	25/7ਡੀ	00	08	25
	25/2ਏ2	00	06	78
	25/2ਏ1	00	01	83
	25/2ਬੀ1	00	11	45
	27/1ਏ	00	11	02
	27/1ਸੀ1	00	03	04
	27/1ਡੀ1	00	00	67
	27/1ਝ	00	10	98
	27/1ਏਫ	00	19	43
	27/1ਜੀ	00	00	10
	27/1ਏਚ	00	03	34
	27/1ਆਡ	00	00	39
	27/1ਜੇ	00	06	35
	27/1ਏਲ	00	01	61
	27/1ਕੇ	00	09	00
	30	00	28	38
	28	00	28	46
	19/2ਏ1ਏ	00	06	40
	19/2ਏ1ਬੀ	00	07	94
	19/3	00	14	01
	19/1ਏ2	00	01	42
	19/2ਏ1ਸੀ1	00	02	89
	19/1ਏ3ਏ	00	15	98
	19/1ਏ3ਬੀ	00	19	76
	18/8	00	05	62

1	2	3	4	5
13) पेरियाकल्लपडी (निरंतर)	18/5ए2 18/5बी 18/5ए 18/7बी 18/7सी 15/5सी2 15/4सी1डी 15/4सी1सी	00 00 00 00 00 00 00 00	00 01 01 07 09 02 18 08	10 51 44 45 57 68 37 67
14) टच्चमण्डु	31 30 9/1ए 9/3बी 9/3ए 9/2बी 8 11/2 11/3 11/1 सर्वे न. 12 में रास्ता सर्वे न. 13 में रास्ता 14/3बी 14/3ए 14/2ए 14/1 14/4 16 21 20	00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00 00	11 15 12 05 16 01 46 39 01 03 03 04 02 07 09 30 35 13 19 44	39 16 46 27 71 68 09 28 40 71 41 46 97 55 45 85 95 03 50 26
15) अल्लिकोण्डापटु	1/9 1/7ए 1/7बी 1/8 2/1 2/3 2/4 6/1ए 6/1बी 6/7 5/3 5/5 5/4 10/6बी	00 00 00 00 00 00 00 00 00 00 00 00 00 00	01 27 01 03 00 03 02 00 29 14 05 19 13 01	90 17 92 84 46 57 12 84 22 17 11 22 80 97

1	2	3	4	5
15) अल्लिकोष्टापटु (निरंतर)				
10/6ए	00	04	54	
10/6सी	00	12	95	
10/3ए2सी	00	18	41	
10/4	00	13	02	
10/3बी	00	18	38	
10/3सी	00	06	91	
11/8	00	09	26	
11/9	00	06	29	
11/11	00	01	30	
11/7	00	01	80	
11/12	00	08	59	
11/14	00	00	10	
12/3	00	01	25	
12/19	00	00	30	
11/13	00	03	60	
12/20	00	07	16	
12/18	00	03	88	
12/4	00	02	82	
12/21	00	00	33	
12/17बी	00	00	49	
12/5	00	09	50	
12/6	00	02	10	
12/13	00	04	09	
12/11	00	07	33	
12/9	00	11	53	
13	00	33	49	
14/1	00	00	10	
14/2	00	01	13	
17/1	00	02	36	
17/3	00	08	91	
17/4	00	05	23	
17/5	00	07	45	
17/6	00	05	61	
17/7	00	02	72	
16) नवमबडु				
9	00	91	57	
8/7बी	00	01	40	
7/2ए1बी	00	10	46	
7/2ए2	00	01	29	
7/2ए3सी	00	06	84	
10/1ए	00	00	17	
7/2बी4	00	25	75	
6/1जी1	00	00	50	

1	2	3	4	5
16) नवमबदु (निरंतर)	6/1एफ	00	23	04
	सर्वे न. 6/3 में रास्ता	00	02	03
	6/5ई	00	03	97
	6/5डी	00	09	17
	60/1	00	27	51
	61	00	04	96
	62/6	00	21	48
	62/8	00	00	82
	62/7	00	10	19
	62/9	00	09	89
	62/3	00	08	47
	62/2	00	13	35
	62/10	00	02	22
	62/12	00	00	65
	64/2ए	00	24	63
	64/1वी	00	03	95
	64/2सी	00	07	34
	64/1सी	00	07	34
	64/3ए	00	35	12
	64/4ए	00	17	11
	68/2ए1	00	02	21
	68/2ए2	00	08	82
	69/1	00	23	15
	68/2वी2	00	27	10
	69/2ए1	00	19	18
	71/1वी/2ए	00	14	91
	71/1वी/2वी	00	17	65
	71/3ए	00	04	00
	71/9	00	00	27
	71/1वी1	00	02	00
	71/11	00	03	98
	71/12	00	04	04
	71/10	00	06	94
	72/2वी	00	08	56
	72/2सी	00	22	82
	सर्वे न. 73 में रास्ता	00	14	74
	74/2वी1सी	00	16	60
	74/2वी1वी	00	07	32
	74/2वी1ए	00	00	10
	सर्वे न. 74/1सी 2 में चैनल	00	07	09
	74/2वी3वी	00	12	89
	74/2वी3ए	00	14	64

1	2	3	4	5
16) नवमबदु (निरंतर)	74/2ए3सी	00	01	89
	77/2ए	00	13	36
	77/2वी	00	03	26
	77/3ए	00	12	52
	77/3वी	00	05	29
	77/4ए	00	09	72
	77/4वी	00	03	22
	77/5	00	10	05
	85/1	00	19	42
	85/2ए	00	12	46
17) काल्लोटु	7/3/डी	00	01	12
	7/3/ई	00	08	89
	7/3/ए	00	05	57
	7/3/एच	00	05	07
	7/3	00	10	69
	7/1सी/16वी	00	05	25
	7/1सी/16ए	00	05	30
	7/1सी/19	00	01	04
	7/1सी/21	00	01	28
	7/1सी/15ए	00	05	37
	7/1सी/15वी	00	05	10
	7/1सी/22	00	01	50
	7/2	00	02	86
	8/1/ए	00	04	99
	8/1वी/1	00	09	18
	8/1/सी	00	11	71
	8/2/ए	00	12	28
	8/2/वी	00	06	01
	8/2सी/1	00	12	40
	8/2सी/2	00	06	56
	8/2सी/3	00	06	87
	5/2जी1	00	06	08
	5/2एफ1	00	12	26
	5/2जी2	00	03	77
	5/2एफ2	00	13	12
	9/5ए1	00	01	84
	9/6	00	00	10
	9/4	00	05	95
	9/2वी	00	39	30
	9/2सी/1	00	12	79
	9/2डी/1	00	06	38
	9/2डी/2	00	05	20

1	2	3	4	5
17) काल्पोदु (निरंतर)	9/3ए/1	00	02	14
	9/3ए/2	00	06	86
	9/3बी/1	00	09	47
	24/3ए/1	00	14	17
	24/3ए/2	00	13	28
	24/2	00	00	10
	24/5सी2	00	03	44
	24/3ए/3	00	09	96
	24/6बी2	00	01	43
	24/3बी	00	09	75
	24/5ए	00	01	71
	28	00	37	34
	27	00	02	77
	29	00	01	52
18) वेलायमवकाम	2/3डी	00	01	62
	सर्वे न. 2/3ई में रास्ता	00	04	17
	2/7	00	13	26
	1/5ए/1ए	00	17	79
	1/6बी	00	12	25
	1/6सी	00	11	22
	1/6डी	00	12	92
	7	01	05	60
	6	00	02	32
	67/4	00	03	64
	67/5बी	00	06	29
	67/6	00	04	69
	67/8	00	11	82
	67/9	00	06	13
	67/10	00	03	40
	67/17बी	00	02	14
	67/17ए	00	04	32
	67/17सी	00	14	77
	सर्वे न. 67/13 में नाला	00	02	60
	68	00	84	80
	70/1के	00	02	53
	70/1एल	00	09	89
	70/1एच	00	05	59
	70/1एम	00	10	42
	70/1एन	00	04	96
	70/2	00	00	10
	65	00	38	26
	77/2	00	40	51

1	2	3	4	5
18) वेलायम्बवकलम (निरंतर)	77/4	00	12	24
	78/4ए	00	24	50
	78/4बी	00	03	01
	78/5	00	19	96
	78/2ई	00	01	09
	78/3	00	03	37
	78/6	00	05	10
	78/7	00	00	10
	79	00	45	52
	82/6ए	00	09	68
	सर्वे न. 82/1ए में रास्ता	00	08	56
	82/7	00	01	74
	82/8	00	16	64
	83	00	06	35
	96/1ए	00	15	55
	97/11	00	01	14
	97/13	00	00	36
	96/5	00	17	89
	96/6	00	10	58
	96/7	00	01	24
	96/2ए	00	12	52
	96/22बी	00	11	75
	99	00	57	45
	100	00	80	78
	102/4ए1	00	04	15
	102/4ए2	00	05	84
	102/4ए3	00	05	51
	102/4ए4	00	07	84
	102/4ए6	00	00	94
	102/4ए5	00	19	87
	102/4ए7	00	00	15

तालुक इच्छाराम	जिला इतिरुवन्नमलाय	राज्य इतिमिलनाडु		
१) शिवाराम	25	00	13	37
	26	00	30	81
	45/1	00	05	97
	45/2	00	01	36
	27	00	35	84
	20/1	00	06	39
	20/4	00	00	10
	20/3	00	04	23
	20/2	00	03	88
	21/1	00	00	40
	19/6	00	09	05

1	2	3	4	5
1) शिवाराम (निरंतर)	19/5	00	11	95
	19/4	00	06	21
	19/3	00	00	10
	17	00	05	46
	3/1	00	30	36
	4	00	02	77

तालुक : अरनी	जिला इतिरूपन्नमलाय	राज्य इतिरूपन्नम		
1) नवापुरम	266/1	00	00	33
	266/2	00	25	25
	266/3	00	07	08
	269/1	00	06	66
	269/3ए	00	09	03
	269/9	00	10	16
	269/6	00	31	65
	268/1बी	00	01	45
	271/1	00	01	14
	271/2	00	24	29
	271/4ए	00	06	63
	271/7	00	06	74
	271/5	00	03	34
	271/6बी	00	12	17
	273/2	00	26	46
	272/1ई	00	07	38
	272/1एच	00	01	03
	272/1जी	00	12	09
	272/1एफ	00	00	60
	272/3	00	00	85
	272/2ए	00	15	12
	272/4	00	00	85
	272/2बी	00	16	03
	183/5सी	00	00	52
	234/1	00	14	29
	275/2	00	01	98
	234/3	00	20	42
	236	00	54	37
	235/3	00	00	52
	235/6	00	11	48
	237/9	00	07	89
	237/3	00	05	48
	237/4	00	01	36
	237/8	00	00	44
	237/10	00	03	57
	238	00	27	64

1	2	3	4	5
1) नवारुम (निरंतर)	219/3	00	22	72
	218	00	41	92

[फा सं. एल.-14014/83/2010-जी.सी.]
के के शर्मा, अवर सचिव

New Delhi, the 10th February, 2011

S. O. 506.—Whereas it appears to Government of India that it is necessary in public interest that for the transportation of Natural Gas from terminal point of Vijayawada – Nellore – Chennai pipeline near Tiruttani in Tamilnadu to consumers in various parts of the country, Chennai - Tuticorin pipeline should be laid by M/s Relogistics Infrastructure Limited;

And, whereas, it appears to Government of India that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in land under which the said pipeline is proposed to be laid and which are described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), Government of India hereby declares its intention to acquire the Right of User therein;

Any person interested in the land described in the said Schedule may, within twenty-one days from the date on which the copies of this notification as published in the Gazette of India under sub-section (1) of Section 3 of the said Act, are made available to the general public, object in writing to the acquisition of the Right of User therein for laying the pipeline under the land to Shri V. Venkatasubbu, Competent Authority, Relogistics Infrastructure Limited, No. 89, Dr. RadhaKrishnan Salai, 6th Floor, Mylapore, Chennai - 600004, Tamil Nadu State.

Schedule

Taluk: Thiruvannamalai		District: Thiruvannamalai		State: Tamil Nadu		
Village	Survey No./Sub-Division No.	Area to be acquired for RoU				
1	2	Hec	Are	C-Are		
1) Kothantavadi	50/2	00	11	30		
	49/1	00	12	15		
	49/3	00	06	45		
	49/5	00	00	40		
	49/2	00	04	48		
	47/1	00	11	86		
	47/2	00	16	76		
	48/6	00	02	28		
	47/5	00	15	15		
	43/1	00	14	95		
	43/3	00	16	94		
	43/9	00	20	35		
	43/4	00	04	65		

भारत का राजपत्र : फरवरी 19, 2011/माघ 30, 1932

[भाग II—खण्ड 3(ii)]

1) Kothanavadi (Contd)

	2	3	4	5
43/8	00	05	73	
42	00	06	23	
41/3	00	15	58	
38/1	00	10	04	
39/4	00	03	19	
39/5	00	03	07	
39/6	00	06	31	
40	00	35	63	
35/1	00	12	36	
35/2	00	18	46	
33/3	00	15	71	
33/4	00	13	51	
131	00	74	17	
130	00	35	49	
129/1	00	01	15	
129/2	00	24	59	
129/3	00	36	30	
112	00	00	10	
127/1	00	21	54	
128/10	00	17	38	
233/3	00	14	24	
233/8	00	34	52	
126/1	00	34	54	
235/1	00	29	56	
235/18	00	04	32	
235/2	00	31	93	
235/3	00	07	61	
235/4	00	02	75	
235/5	00	23	98	
236/15	00	05	09	
236/16	00	15	51	
236/5	00	16	51	
236/4	00	07	50	
237/2	00	05	19	
238	00	04	66	
	00	42	14	

2) Erumpundi

247	00	53	87
248/4	00	07	11
248/5	00	11	83
248/6	00	19	86
248/7	00	01	78
245	00	19	68
250/3A1	00	80	28
251/1	00	03	95
252/1A	00	63	80
	00	10	33
33/2A	00	05	88
33/2B	00	00	89
33/2E	00	00	51
34/6	00	67	95
36	00	11	85
37	00		

3) Valundalankunam

4) Ganapapuram (Contd)

1	2	3	4	5
	30	00	07	63
	16/1	00	01	63
	16/2	00	70	04
	28	00	10	75
	16/3	00	13	30
	17/2	00	01	11
	26	00	71	99
	24	00	61	79
	23	00	40	15
	22	00	37	82
	162	00	70	80
	37			
	38	01	02	02
	35	00	05	90
	40	00	25	33
	33	00	30	38
	46	00	32	12
	48	00	00	45
	47	00	24	71
	50	00	17	95
	54/1B	00	22	64
	54/1A	00	05	57
	54/13	00	30	93
	54/4A	00	00	10
	54/4B	00	00	27
	53	00	02	34
	Road in Survey No.52/9	00	20	69
	52/3	00	03	06
	52/6	00	02	52
	52/8A	00	15	95
	52/8B	00	09	12
	59/3	00	07	54
	59/1A	00	01	98
	59/1B	00	12	86
	59/2D	00	19	57
	62/1	00	23	59
	62/3A	00	05	13
	62/3E	00	13	40
	62/2	00	08	39
	62/4	00	01	24
	62/3H	00	01	19
	62/5	00	07	96
	62/6	00	06	41
	62/7	00	06	60
	62/8A	00	05	72
	61/1	00	07	13
	61/2	00	17	72
	96/2	00	12	61
	96/5	00	22	31
	96/14	00	06	69
		00	08	49

1	2	3	4	5
5) Kallikulam (Contd)				
	118/1B	00	14	40
	118/2	00	28	48
	118/3	00	06	47
	123/1B	00	01	26
	123/1A2	00	22	08
	123/2	00	01	21
	123/3A2	00	01	12
	123/3A1	00	14	32
	123/3B	00	19	64
	123/3C	00	00	29
	120/2I	00	11	23
	120/2J	00	08	03
	120/2H	00	00	10
	121/1	00	12	28
	121/2E	00	07	69
	121/2F	00	18	82
	121/2G	00	12	66
6) Karanampundi				
	2/1	00	03	09
	2/7A	00	00	10
	2/8A	00	07	32
	2/9A	00	02	10
	2/9B	00	02	97
	2/10	00	01	84
	2/11C	00	00	74
	2/16	00	00	89
	2/17A	00	05	71
	2/18B4	00	01	07
	17B	00	00	30
	2/18B2	00	04	37
	2/18B3	00	02	51
	19A	00	00	10
	2/19B	00	04	05
	2/20	00	01	31
	2/21	00	00	10
	15	00	18	84
	14	00	35	42
	13	00	04	13
	8	00	71	10
	10	00	30	73
	65/3	00	01	62
	65/4A	00	12	81
	65/4B1	00	02	52
	65/4B2	00	19	54
	65/2B2	00	01	56
	65/2A2	00	09	95
	64	00	00	29
	65/2A3	00	06	74
	65/2A6	00	08	02
	63/1A3	00	04	37
	63/1A1	00	09	31

1	2	3	4	5
6) Karanampundi (Contd)	63/1A2	00	27	76
	63/1A4	00	17	47
	63/1A5	00	02	09
	63/2B	00	00	90
	63/2D	00	01	72
	63/2A	00	03	35
	63/2C	00	13	90
	62	00	01	06
	67/4	00	09	44
	68/3	00	31	90
	68/2	00	12	65
	84	00	14	58
	98/8	00	00	49
	98/7	00	05	26
	98/6C	00	01	99
	98/6B	00	06	54
	98/6A	00	07	71
	98/5	00	30	33
	98/3	00	00	25
	98/2C	00	01	12
	98/4	00	28	43
	100/1	00	16	42
	100/2	00	21	00
	101/4	00	47	68
	101/3	00	31	07
	101/2	00	06	03
7) Sirunathur	1/3A	00	02	84
	1/3B	00	20	14
	1/3C3	00	18	49
	1/1B2	00	00	27
	1/3C2	00	12	13
	1/1B3	00	11	58
	1/3C1	00	03	93
	13/2A	00	00	72
	1/2	00	37	71
	13/1	00	48	80
	15/15	00	00	20
8) Somasapadi	361/2	00	16	91
	369/3B	00	29	42
	369/4	00	00	13
	369/3C	00	16	20
	369/2B	00	33	81

1	2	3	4	5
8) Somasapadi (Contd)	370/1	00	18	84
	369/5	00	39	78
	369/6	00	01	15
	Nala in Survey No.368	00	09	74
	351	00	06	38
	349/2	00	49	93
	348/7	00	17	40
	348/6	00	26	78
	348/5	00	02	71
	346/1	00	25	75
	384/3	00	31	63
	384/5	00	19	37
	384/1	00	14	76
	Road in Survey No.383	00	12	38
	389/3	00	07	69
	389/2B	00	07	15
	389/2A	00	17	56
	389/4C	00	16	77
	389/4A2	00	00	65
	389/4A1	00	12	14
	389/4B	00	15	86
	389/1	00	14	02
9) Kadambai	63	00	42	06
	62/15	00	36	25
	62/14	00	01	87
	62/13	00	01	14
	62/11	00	04	89
	61/6	00	03	42
	61/5	00	15	81
	61/9	00	11	58
	61/10	00	20	02
	60/13	00	01	72
	50	00	28	87
	49/5	00	19	29
	49/6	00	07	68
	48/6	00	33	84
	44/3	00	12	03
	44/4	00	08	75
	44/11	00	03	42
	44/12	00	02	33
	44/10	00	28	28
	43/1	00	07	91

1	2	3	4	5
9) Kadambai (Contd)	43/19B	00	08	16
	43/19A	00	08	98
	43/16	00	05	76
	43/18	00	02	98
	43/17	00	04	58
	43/12	00	00	82
	42/1	00	06	05
	42/4	00	00	66
	42/3	00	05	26
	42/21	00	05	55
	42/9	00	06	71
	Road in Survey No.42/10	00	01	48
	42/20	00	00	10
	42/14	00	02	25
	42/15	00	05	80
	42/22	00	03	21
	42/13	00	22	62
	42/12	00	00	73
	39/1	00	08	85
	39/2	00	07	77
	38/5	00	38	72
	Road in Survey No.88	00	05	42
	89/2	00	16	07
	89/3F	00	05	39
	89/3E	00	24	60
	86/3A	00	07	19
	90/10A	00	07	48
	90/11	00	05	25
	91/3	00	07	00
	91/2C	00	07	07
	91/2B	00	10	00
	91/2A4	00	25	05
	91/2A3	00	00	45
	123/1	00	00	30
	122/4	00	17	26
	122/5	00	16	67
	122/6	00	16	47
	123/4	00	06	21
	121/4	00	13	03
	123/5	00	10	26
	123/6	00	10	36
10) Kattuvelanandal	24/1A1	00	43	95

1	2	3	4	5
10) Kattuvelanandal (Contd)	24/1A2	00	00	10
	24/1A5	00	16	11
	24/2	00	04	94
	26/1B	00	05	27
	26/1A	00	03	16
	23/4A	00	00	40
	27/3B4	00	11	90
	27/3C5	00	13	14
	27/3D	00	14	08
11) Polakunam	115/1C	00	00	24
	115/1A	00	22	22
	114/1	00	01	86
	114/2	00	00	32
	115/1B	00	12	23
	114/12	00	16	31
	114/14	00	20	05
	114/13	00	17	34
	114/11	00	02	94
	114/8	00	00	43
	Road in Survey No.113	00	02	61
	121/3	00	32	30
	121/2	00	28	69
	122/3A	00	00	84
	122/3B	00	13	02
	122/4	00	15	05
	111/1	00	50	77
	111/2A	00	24	02
	111/2C	00	01	18
	111/2B	00	00	99
	111/4A	00	13	83
	111/4B	00	08	46
	127/2	00	03	15
	127/1	00	46	62
	128/3	00	61	59
	135/2	00	54	61
	141/2A	00	07	38
	141/2B	00	06	85
	141/3A	00	06	75
	141/3B	00	05	40
	141/4B2	00	12	10
	141/6B	00	12	67
	140/3A	00	00	41

1	2	3	4	5
11) Polakunam (Contd)				
	140/4	00	12	39
	140/3B	00	05	56
	140/5	00	10	48
	149	00	03	60
	151/6C	00	26	73
	151/6D	00	00	10
	151/7A	00	07	57
	151/7B	00	23	85
	146/3	00	01	53
	146/4	00	00	10
	152/5A	00	06	43
	152/5B	00	05	76
	152/5D	00	06	71
	152/5E	00	12	02
	152/5F	00	07	43
	156/1A2	00	33	19
	156/2A2	00	05	95
	156/2A1	00	00	12
	155	00	35	89
	154/1B	00	03	22
	154/21	00	02	68
	154/14B	00	32	84
	154/20	00	03	55
	154/13	00	08	69
	154/12	00	00	69
12) Neikuppam	River in Survey No.39/2	00	15	86
	38/9	00	03	07
	38/4	00	03	38
	38/3	00	01	64
	37/11	00	00	28
	38/5	00	02	76
	38/2	00	05	89
	38/1	00	14	38
	37/12	00	14	87
	37/13	00	19	69
	42/1	00	09	52
	42/2	00	02	58
	42/4A	00	00	58
	42/4B	00	00	10
	42/3	00	04	03
	42/5A	00	00	10
	35/6C	00	00	59

1	2	3	4	5
12) Neikuppam (Contd)				
	35/8B	00	01	96
	35/9A	00	02	86
	35/9B	00	04	14
	35/10	00	07	15
	35/7	00	12	29
	43	00	29	24
	44/1	00	01	35
	56/1	00	08	21
	56/2	00	00	26
	44/3B	00	18	58
	44/4	00	17	71
	44/2B	00	19	58
	44/5	00	11	46
	44/6A	00	01	32
	45/6	00	00	10
	52/7	00	07	73
	52/6	00	06	43
	52/2	00	00	10
	52/3	00	00	65
	52/4	00	01	90
	52/5	00	02	84
	52/9	00	15	29
	52/11	00	07	05
	51/5	00	18	46
	51/4	00	16	30
	51/6	00	01	97
13) Periyakallapadi	81/2A2	00	06	73
	81/2A1	00	07	35
	81/4	00	07	04
	81/2B1B	00	13	08
	81/5	00	09	98
	81/2B1A2	00	01	98
	81/6	00	11	35
	82/1B2B	00	05	06
	82/1B2D	00	04	04
	82/1B3	00	03	63
	82/1B4	00	01	90
	82/1B5	00	02	42
	82/1B1	00	04	62
	82/1A	00	00	37
	82/2E	00	19	46
	82/2C	00	01	36

1	2	3	4	5
13) Periyakallapadi (Contd)	82/2D	00	10	79
	64/IA1	00	10	88
	64/IA2	00	11	82
	64/IA3	00	11	04
	65/2A2	00	06	05
	64/1B	00	00	91
	Channel in Survey No.65/1B	00	05	27
	65/IC1	00	11	65
	65/1C3	00	13	60
	65/1C2	00	05	00
	65/1C2E	00	20	86
	65/1C2B	00	03	68
	65/1C2A	00	00	10
	Road in Survey No.65/3	00	02	69
	62/1C1	00	02	89
	62/2B1	00	00	10
	62/1B	00	02	83
	62/1A2	00	05	57
	62/1A3	00	08	62
	62/1A4	00	06	93
	62/1A5	00	17	92
	61/8D	00	02	94
	61/8E	00	12	67
	62/5A	00	05	32
	61/6	00	02	60
	61/5E	00	00	35
	99	00	19	92
	56/1G	00	02	52
	56/2D	00	07	40
	56/3	00	00	96
	56/4B	00	12	54
	56/7B	00	09	56
	56/8B	00	04	59
	56/8A	00	04	35
	56/10D	00	05	00
	56/10C	00	03	98
	55/10	00	13	54
	55/11	00	05	05
	55/9B	00	05	29
	55/15A	00	03	59
	55/15B	00	02	38
	55/15C	00	01	28

1	2	3	4	5
13) Periyakallapadi (Contd)	55/15D	00	00	15
	55/4	00	00	10
	55/9A	00	12	60
	55/8	00	10	29
	55/7	00	01	02
	54	00	15	83
	7/3C4A	00	02	20
	7/3C4B	00	14	47
	7/3C3	00	08	71
	7/3C2	00	06	03
	7/3C1	00	01	78
	24	00	18	22
	25/4B	00	11	25
	25/4A	00	02	50
	25/5A	00	00	10
	25/6C	00	11	47
	25/7C	00	05	60
	25/7D	00	08	25
	25/2A2	00	06	78
	25/2A1	00	01	83
	25/2B1	00	11	45
	27/1A	00	11	02
	27/1C1	00	03	04
	27/1D1	00	00	67
	27/1E	00	10	98
	27/1F	00	19	43
	27/1G	00	00	10
	27/1H	00	03	34
	27/1I	00	00	39
	27/1J	00	06	35
	27/1L	00	01	61
	27/1K	00	09	00
	30	00	28	38
	28	00	28	46
	19/2A1A	00	06	40
	19/2A1B	00	07	94
	19/3	00	14	01
	19/1A2	00	01	42
	19/2A1C1	00	02	89
	19/1A3A	00	15	98
	19/1A3B	00	19	76
	18/8	00	05	62

1	2	3	4	5
13) Periyakallapadi (Contd)	18/5A2	00	00	10
	18/5B	00	01	51
	18/5A	00	01	44
	18/7B	00	07	45
	18/7C	00	09	57
	15/5C2	00	02	68
	15/4C1D	00	18	37
	15/4C1C	00	08	67
14) Tachchampattu	31	00	11	39
	30	00	15	16
	9/1A	00	12	46
	9/3B	00	05	27
	9/3A	00	16	71
	9/2B	00	01	68
	8	00	46	09
	11/2	00	39	28
	11/3	00	01	40
	11/1	00	03	71
	Road in Survey No.12	00	03	41
	Road in Survey No.13	00	04	46
	14/3B	00	02	97
	14/3A	00	07	55
	14/2A	00	09	45
	14/1	00	30	85
	14/4	00	35	95
	16	00	13	03
	21	00	19	50
	20	00	44	26
15) Allikondapattu	1/9	00	01	90
	1/7A	00	27	17
	1/7B	00	01	92
	1/8	00	03	84
	2/1	00	00	46
	2/3	00	03	57
	2/4	00	02	12
	6/1A	00	00	84
	6/1B	00	29	22
	6/7	00	14	17
	5/3	00	05	11
	5/5	00	19	22
	5/4	00	13	80
	10/6B	00	01	97

1	2	3	4	5
15) Allikondapattu (Contd)	10/6A	00	04	54
	10/6C	00	12	95
	10/3A2C	00	18	41
	10/4	00	13	02
	10/3B	00	18	38
	10/3C	00	06	91
	11/8	00	09	26
	11/9	00	06	29
	11/11	00	01	30
	11/7	00	01	80
	11/12	00	08	59
	11/14	00	00	10
	12/3	00	01	25
	12/19	00	00	30
	11/13	00	03	60
	12/20	00	07	16
	12/18	00	03	88
	12/4	00	02	82
	12/21	00	00	33
	12/17B	00	00	49
	12/5	00	09	50
	12/6	00	02	10
	12/13	00	04	09
	12/11	00	07	33
	12/9	00	11	53
	13	00	33	49
	14/1	00	00	10
	14/2	00	01	13
	17/1	00	02	36
	17/3	00	08	91
	17/4	00	05	23
	17/5	00	07	45
	17/6	00	05	61
	17/7	00	02	72
16) Navambattu	9	00	91	57
	8/7B	00	01	40
	7/2A1B	00	10	46
	7/2A2	00	01	29
	7/2A3C	00	06	84
	10/1A	00	00	17
	7/2B4	00	25	75
	6/1G1	00	00	50

1	2	3	4	5
16) Navambattu (Contd)				
	6/1F	00	23	04
	Road in Survey No.6/3	00	02	03
	6/5E	00	03	97
	6/5D	00	09	17
	60/1	00	27	51
	61	00	04	96
	62/6	00	21	48
	62/8	00	00	82
	62/7	00	10	19
	62/9	00	09	89
	62/3	00	08	47
	62/2	00	13	35
	62/10	00	02	22
	62/12	00	00	65
	64/2A	00	24	63
	64/1B	00	03	95
	64/2C	00	07	34
	64/1C	00	07	34
	64/3A	00	35	12
	64/4A	00	17	11
	68/2A1	00	02	21
	68/2A2	00	08	82
	69/1	00	23	15
	68/2B2	00	27	10
	69/2A1	00	19	18
	71/1B/2A	00	14	91
	71/1B/2B	00	17	65
	71/3A	00	04	00
	71/9	00	00	27
	71/IB1	00	02	00
	71/11	00	03	98
	71/12	00	04	04
	71/10	00	06	94
	72/2B	00	08	56
	72/2C	00	22	82
	Road in Survey No.73	00	14	74
	74/2B1C	00	16	60
	74/2B1B	00	07	32
	74/2B1A	00	00	10
	Channel in Survey No.74/1C2	00	07	09
	74/2B3B	00	12	89
	74/2B3A	00	14	64

1	2	3	4	5
16) Navambattu (Contd)	74/2A3C	00	01	89
	77/2A	00	13	36
	77/2B	00	03	26
	77/3A	00	12	52
	77/3B	00	05	29
	77/4A	00	09	72
	77/4B	00	03	22
	77/5	00	10	05
	85/1	00	19	42
	85/2A	00	12	46
17) Kallottu	7/3/D	00	01	12
	7/3/E	00	08	89
	7/3/A	00	05	57
	7/3/H	00	05	07
	7/3/M	00	10	69
	7/1C/16B	00	05	25
	7/1C/16A	00	05	30
	7/1C/19	00	01	04
	7/1C/21	00	01	28
	7/1C/15A	00	05	37
	7/1C/15B	00	05	10
	7/1C/22	00	01	50
	7/2	00	02	86
	8/1/A	00	04	99
	8/1/B/1	00	09	18
	8/1/C	00	11	71
	8/2/A	00	12	28
	8/2/B	00	06	01
	8/2/C/1	00	12	40
	8/2/C/2	00	06	56
	8/2/C/3	00	06	87
	5/2/G1	00	06	08
	5/2/F1	00	12	26
	5/2/G2	00	03	77
	5/2/F2	00	13	12
	9/5/A1	00	01	84
	9/6	00	00	10
	9/4	00	05	95
	9/2/B	00	39	30
	9/2/C/1	00	12	79
	9/2/D/1	00	06	38
	9/2/D/2	00	05	20

1	2	3	4	5
17) Kallotai (Contd)				
	9/3A/1	00	02	14
	9/3A/2	00	06	86
	9/3B/1	00	09	47
	24/3A/1	00	14	17
	24/3A/2	00	13	28
	24/2	00	00	10
	24/5C2	00	03	44
	24/3A/3	00	09	96
	24/6B2	00	01	43
	24/3B	00	09	75
	24/5A	00	01	71
	28	00	37	34
	27	00	02	77
	29	00	01	52
18) Velaiyambakkam	2/3D	00	01	62
	Road in Survey No.2/3E	00	04	17
	2/7	00	13	26
	1/5A/1A	00	17	79
	1/6B	00	12	25
	1/6C	00	11	22
	1/6D	00	12	92
	7	01	05	60
	6	00	02	32
	67/4	00	03	64
	67/5B	00	06	29
	67/6	00	04	69
	67/8	00	11	82
	67/9	00	06	13
	67/10	00	03	40
	67/17B	00	02	14
	67/17A	00	04	32
	67/17C	00	14	77
	Nala in Survey No.67/13	00	02	60
	68	00	84	80
	70/1K	00	02	53
	70/1L	00	09	89
	70/1H	00	05	59
	70/1M	00	10	42
	70/1N	00	04	96
	70/2	00	00	10
	65	00	38	26
	77/2	00	40	51

1	2	3	4	5
18) Velaiyambakkam (Contd)	77/4	00	12	24
	78/4A	00	24	50
	78/4B	00	03	01
	78/5	00	19	96
	78/2E	00	01	09
	78/3	00	03	37
	78/6	00	05	10
	78/7	00	00	10
	79	00	45	52
	82/6A	00	09	68
	Road in Survey No.82/1A	00	08	56
	82/7	00	01	74
	82/8	00	16	64
	83	00	06	35
	96/1A	00	15	55
	97/11	00	01	14
	97/13	00	00	36
	96/5	00	17	89
	96/6	00	10	58
	96/7	00	01	24
	96/2A	00	12	52
	96/22B	00	11	75
	99	00	57	45
	100	00	80	78
	102/4A1	00	04	15
	102/4A2	00	05	84
	102/4A3	00	05	51
	102/4A4	00	07	84
	102/4A6	00	00	94
	102/4A5	00	19	87
	102/4A7	00	00	15

Taluk:Cheyyar	District:Thiruvannamalai	State:Tamil Nadu		
I) Seevaram	25	00	13	37
	26	00	30	81
	45/1	00	05	97
	45/2	00	01	36
	27	00	35	84
	20/1	00	06	39
	20/4	00	00	10
	20/3	00	04	23
	20/2	00	03	88
	21/1	00	00	40
	19/6	00	09	05

1	2	3	4	5
I) Seevaram (Contd)	19/5	00	11	95
	19/4	00	06	21
	19/3	00	00	10
	17	00	05	46
	3/1	00	30	36
	4	00	02	77

Taluk:Arani	District:Thiruvannamalai	State:Tamil Nadu		
I) Nachapuram	266/1	00	00	33
	266/2	00	25	25
	266/3	00	07	08
	269/1	00	06	66
	269/3A	00	09	03
	269/9	00	10	16
	269/6	00	31	65
	268/1B	00	01	45
	271/1	00	01	14
	271/2	00	24	29
	271/4A	00	06	63
	271/7	00	06	74
	271/5	00	03	34
	271/6B	00	12	17
	273/2	00	26	46
	272/1E	00	07	38
	272/1H	00	01	03
	272/1G	00	12	09
	272/1F	00	00	60
	272/3	00	00	85
	272/2A	00	15	12
	272/4	00	00	85
	272/2B	00	16	03
	183/5C	00	00	52
	234/1	00	14	29
	275/2	00	01	98
	234/3	00	20	42
	236	00	54	37
	235/3	00	00	52
	235/6	00	11	48
	237/9	00	07	89
	237/3	00	05	48
	237/4	00	01	36
	237/8	00	00	44
	237/10	00	03	57
	238	00	27	64
	219/3	00	22	72
	218	00	41	92

[F. No. L-14014/83/2010-G.P]
K. K. SHARMA, Under Secy.

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 20 जनवरी, 2011

का.आ. 507.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आई सी आई सी आई प्रूडेंसियल लाइफ इन्श्यूरेंस कंपनी लिमिटेड के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कानपुर के पंचाट (संदर्भ संख्या 61/2010) को प्रकाशित करती है जो केन्द्रीय सरकार को 20-1-2011 को प्राप्त हुआ था।

[सं. एल-17012/18/2009-आई आर (एम)]
रमेश सिंह, डेस्क अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 20th January, 2011

S.O. 507.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 61/2010) of the Central Government Industrial Tribunal/Labour Court, Kanpur now as shown in the Annexure in the industrial Dispute between the employers in relation to the management of ICICI Prudential Life Insurance Company Limited and their workman, which was received by the Central Government on 20-1-2011.

[No. L-17012/18/2009-IR (M)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE SRI RAM PARKASH, HJS, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, KANPUR

Industrial Dispute No. 61 of 2010

BETWEEN

Sri Om Prakash Rai,
Son of Sri Baikunth Rai,
64-T/5A, Sainik Colony,
Sulemsari, Allahabad

And

The Managing Director,
M/s. ICICI Prudential Life Insurance Company Limited,
ICICI Profile Tower,
1089 Appa Saheb Maratha Marg,
Prabha Devi,
Mumbai-400025

AWARD

1. Central Government, MoL, New Delhi, vide notification No. L-17012/17/2009-IR(M) dated 28-06-2010 has referred the following dispute for adjudication to this tribunal—

2. Whether Sri Om Prakash Rai, Unit Manager in ICICI Prudential Life Insurance Company Ltd., Jaunpur is a workman as defined under the I.D. Act, 1947? If so, whether the action of the management of M/s. ICICI Prudential Life

Insurance Company Ltd., in terminating the services of Sri Om Prakash Rai w.e.f. 25-2-2009 is justified? What relief the workman concerned is entitled to and from which date?

3. In the above case after the receipt of the reference order by the appropriate government registered notices were issued to the contesting parties from the tribunal for filing their respective claims by the contesting parties. The instant case was taken up for hearing on 15-9-10, 18-11-2010, and on 13-12-2010 respectively, but neither the workman nor any one on his behalf appeared in the case to contest the case nor was any statement of claim filed on his behalf.

4. It is the workman who is claimant in the instant case is heavily burdened to contest his case before the tribunal and if he fails to file his complaint or statement of claim before the tribunal he is solely responsible for the same and he cannot be allowed to get any relief for his own deliberate lapses as has been found in the instant case.

5. Since the claimant has not availed the opportunity granted by the tribunal and also since he deliberately failed to file his claim before the tribunal, the tribunal is inclined to believe that the claimant is not interested to prosecute his case before the tribunal and the reference is bound to be answered against the claimant for want of pleadings and proof.

6. Accordingly reference is answered in affirmative in favour of the opposite party management and against the workman.

RAM PARKASH, Presiding Officer

नई दिल्ली, 20 जनवरी, 2011

का.आ. 508.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स इन्ड्रप्रस्थ गैस लिमिटेड के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नई दिल्ली-1 के पंचाट (संदर्भ संख्या 6/2009) को प्रकाशित करती है जो केन्द्रीय सरकार को 20-1-2011 को प्राप्त हुआ था।

[सं. एल-30012/13/2008-आई आर (एम)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 20th January, 2011

S.O. 508.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 6/2009) of the Central Government Industrial Tribunal/Labour Court, Karkardooma Delhi now as shown in the Annexure in the industrial dispute between the employers in relation to the management of Indraprastha Gas Ltd., and their workman, which was received by the Central Government on 20-1-2011.

[No. L-30012/13/2008-IR (M)]

RAMESH SINGH, Desk Officer

ANNEXURE

**BEFORE DR. R. K. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
No. 1, KARKARDOOMA COURTS COMPLEX, DELHI**

I.D. No. 6/2009

Shri Vijay s/o Shri Masi Charan,
C/o IGI, Ltd. (CNG) Sharmik Sangh (Regd.) 118,
Kishan Ganj Market, Purana Rohtak Road,
Kishan Ganj, New Delhi-110007 ... Workman

... Workman

Versus

The Manager,
M/s. Indraprastha Gas Ltd.,
IGL Bhawan, R. K. Puram,
New Delhi

AWARD

Indraprastha Gas Ltd. (in short the management) is a joint venture company of Gas Authority of India Ltd., Bharat Petroleum Corporation Ltd. (both Public Sector Undertaking) and Government of N.C.T. Delhi. The management runs various C.N.G Stations. One of the C.N.G Station, being run by the management, is located at Okhla More, New Delhi, where all activities were outsourced to a contractor, namely, M/s. Ajay Enterprises. Shri Vijay claimed that he served the management at Okhla More, C.N.G Station from 18-1-2001 till 5-4-2006. On 23-9-2006 a demand notice was sent on his behalf by Indraprastha Gas Ltd., (CNG) Shramik Sangh (Regd.) (hereinafter referred to as the union) alleging therein that his services were terminated by the management, in violation of the provisions of Industrial Disputes Act, 1947 (in short the Act). When demand, so raised, was not conceded to, an industrial dispute was raised before the Conciliation Officer. The management disputed the claim, pleading that Vijay was never employed by it. Since conciliation proceedings failed, the appropriate Government referred the dispute to this Tribunal for adjudication, vide order No. L-30012/13/2008-I.R. (M)—New Delhi 31-7-08 with the following terms.

"Whether the action of the management of Indraprastha Gas Ltd., I.G.L. Bhawan, R. K. Puram, New Delhi in terminating the services of Shri Vijay, Ex-Sweeper, w.e.f. 5-4-2006 is just, fair and legal ? If not, to what relief the workman is entitled to ?"

2. Claim statement was filed by Shri Vijay pleading therein that he served the management as Sweeper since 18-1-2001 with honesty and sincerity. His wages were Rs. 2750 P.M. Appointment letter, leaves, overtime wages, E.S.I. benefits etc. were not given to him. He made a demand for those benefits, which irked the management. His signatures were obtained on blank papers, vouchers and on some written documents. Since he intended to serve the management, he had not made any complaint in that regard. His services were dispensed with on 5-4-2006 without any cause. His juniors were working there at that time. Termination of his services was violative of the provisions of section 25-F of the Act, since no notice or

pay in lieu thereof and retrenchment compensation was given to him. He approached the union, who sent a demand notice on his behalf. Demand notice was not responded to by the management. The union approached the Conciliation Officer and filed a claim statement before him. The management filed its written statement, besides a response from a contractor too. He filed his rejoinder before the Conciliation Officer. He claims that he is unemployed since the date of termination of his services. He seeks reinstatement in service with continuity and full back wages.

3. The management dispels his claim pleading that he was never employed by it at any point of time. There existed no relationship of employer and employee between the parties. It has been pleaded that the union had no authority to submit a demand notice and file a claim statement on behalf of the claimant. The management pleads that being a joint venture company of two public sector undertakings and Government of N.C.T., Delhi, it has to follow the law of land. It projects that activities at C.N.G. Station, Okhla More, were outsourced to an independent contractor, namely, M/s. Ajay Enterprises. The contractor informed that the claimant was never employed by him. When claimant was not an employee of the management, there was no question of payment of wages or grant of legal benefits to him. There was no occasion for the management to terminate his services. Claim made by Shri Vijay, being devoid of merits, is liable to be dismissed.

4. Claimant had examined himself in support of his claim. Shri P.R. Rajesh and V.C. Mishra were examined on behalf of the management. No other witness was examined by either of the parties.

5. Arguments were heard at the bar. Shri Prabhakar, authorised representative, advanced arguments on behalf of the claimant. Shri Anil Bhatt, authorised representative, raised his submissions on behalf of the management. Written submissions were also filed by Shri Bhatt. I have given my careful consideration to the arguments advanced at the bar and cautiously perused the record. My findings on issues involved in the controversy are as follows :—

6. In affidavit Ex. WW1/A, claimant swears that he was serving the management as Sweeper at Okhla More C.N.G Station since 18-1-2001. He rendered his services with due diligence and honesty. His last drawn wages were Rs. 2750. Legal benefits such as appointment letter, casual leave, earned leave, overtime wages. ESI and Provident Fund facilities were not provided to him. The management took his signatures on blank papers, vouchers and on some written documents under coercion and pressure. His services were dispensed with on 5-4-2006, without notice or pay in lieu thereof and retrenchment compensation. When his testimony was purified by ordeal of cross examination he concedes that he never made any written complaint either to the management or to the authorities when ESI and Provident Fund facilities were not accorded to him. It was put to him that he was never appointed by the management and he never made any

application for job. This question was repeated to him time and again but he opted not to give any answer. He projected that salary sheet alongwith Diwali gift Ex. WW1/7 contain his name. Control room shift log books Ex. WW1/8 and Ex. WW1/9 show him as an employee of the management. He submitted his leave application dated 7-7-04, which is Ex. WW1/10.

7. Shri P.R. Rajesh unfolds in his affidavit Ex. MW1/A that the claimant was never employed by the management. He highlights that CNG Station at Okhla Mor was outsourced to M/s Ajay Enterprises. When questioned the contractor told that the claimant was never employed by him also. He concludes that relationship of employer and employee never existed between the parties. Shri V. C. Mishra entered the witness box to prove his opinion to the effect that signatures on Ex. WW1/7 and Ex. WW1/8, in a column against Station Boy, were that of the claimant.

8. The management asserts that relationship of employer and employee between the parties never existed. When such relationship is in dispute, it is incumbent on the claimant to establish it by cogent evidence. The claimant asserts that he was employed by the management but no appointment letter was issued to him. He went on to unfold that salary sheet and Diwali Gift list, which is Ex. WW1/7, contain, his name which fact establishes existence of relationship of employer and employee between the parties. Control shift log books Ex. WW1/8 and Ex. WW1/9 and his leave application Ex. WW1/10 give reaffirmation to that fact, claims Shri Prabhakar. However, the management asserts that these documents are forged and fabricated one. To unearth the truth. It is expedient to appreciate rival submissions. When confronted that the claimant was never appointed by the management and he never applied for a job, the former opted to keep mum. Question was put to him time and again but eerie silence was observed by the claimant. It was expected of the claimant to assert that he applied for a job and was appointed by the management on a post of sweeper. His silence confirmed the proposition that he never applied for a job and there was no occasion for the management to appoint him to the post of a Sweeper.

9. The relationship of employer and employee is constituted by a contract, express or implied between employer and employee. A contract of service is one in which a person undertakes to serve another and to obey his reasonable orders within the scope of the duty undertaken. A contract of employment may be inferred from the conduct which goes to show that such a contract was intended although never expressed and when there has, in fact, been employment of the kind usually performed by the employees. Any such inference, however, is open to rebuttal as by showing that the relation between the parties concerned was on a charitable footing or the parties were relations or partners or were directors or a limited company which employed no staff. While the employee, at the time, when his services were engaged need not have known the identity of his employer, there must have been

some act or contract by which the parties recognized one another as master or servant.

10. To show that relationship of master and servant was created between him and the management, the claimant lays emphasis on documents Ex. WW1/7 to Ex. WW1/10. Therefore, these documents are to be scanned. Admittedly Ex. WW1/7 happens to be a photo copy. Claimant projects that original of this document was given to him by Sanjay Singh with the instructions to destroy it. He got it photo copied and then destroyed its original. Out of these facts he wants to highlight that Shri Sanjay Singh permitted him to destroy original of Ex. WW1/7 at a place of his choice. The claimant wants this Tribunal to believe that Shri Singh had not bothered to ascertain destruction of the document. In that situation it would be expected of an ordinary prudent man that he would retain the original in his possession. A story has been projected by the claimant that after getting photo copy he destroyed the original, that too at a time and place of his choice. These facts are found to be farther from truth.

11. Can this Tribunal place reliance on Ex. WW1/7 Considering the conduct of the claimant, which has emerged over the record, various questions relating to genuineness and authenticity of the document and veracity of testimony of the claimant emerge. One can not discard a theory of fabrication of the document. Under these circumstances it would be highly unsafe to rely Ex. WW1/7. Consequently document Ex. WW1/7 is discarded from consideration.

12. Ex. WW 1/8 and Ex. WW 1/9 are the documents on which the claimant takes last lie. These documents are Control Room Shift Log Books filled in by Prashant Gupta and Amit Dev respectively. Contents of these documents are in the hand of these two officers, except the name of the claimant written against column "Station Boy". In that column the claimant had written his name in his own hand, which fact is apparent on comparison of his signatures appearing on various documents with these two documents. Shri V. C. Mishra also gives confirmation to these facts. It was not disputed on behalf of the claimant that he wrote his name in the column against "Station Boy". The claimant projects that these two documents were also given to him by Shri Sanjay Singh for destruction. According to him he retained these two documents with him. When these documents are gauzed, in the light of circumstances in which an ordinary prudent man will act, it emerges that column "Station Boy" was left blank by Shri Prashant Gupta and Amit Dev. Anyhow, the claimant could lay his hands over these documents and he forged his name against column "Station Boy" with a view to project his claim. When someone commits forgery, with a view to propound a claim in his favour, in that situation the Tribunal is put to caution to scrutinize facts with more care and diligence. When facts are scrutinized with care and diligence, it emerges that name of the claimant was never written by Shift Incharge on these documents to project that claimant was working as a Station Boy at CNG Station, Okhla Mor, New Delhi. In case the claimant is permitted to

author his name as a Station Boy in these two documents, then it will frustrate the ends of justice. Consequently, the modus operandi adopted by the claimant is discarded and these two documents are brushed aside from consideration of his claim.

13. Alleged leave application, copy of which is Ex. WW1/10, is the last document which requires consideration. Ex. WW1/10 is the carbon copy of an application purported to have been written by the claimant. This application starts with the date at the top on right hand side. However, the claimant opted to erase the date so written by application of some chemical. This document is addressed to Manager, IP.Gas Ltd., 14, 15 Storey, Dr. Gopal Dass Building, 29, Barakhamba Road, Connaught Place, New Delhi-1. It is not addressed to Station Incharge, CNG Station Okhla Mor, New Delhi. It purported to have been received by one Sunil Dutt on 7th July, 2004. Leaves from 8-7-04 till 11-7-04 are claimed on account of illness. The claimant concedes that his Shift Incharge was Sanjay Singh and not Sunil Dutt. It has been projected on behalf of the management that no employee with the name of Sunil Dutt was ever on its roll. Claimant could not establish that Shri Sunil Dutt was an employee of the management, who allegedly received his leave application. Though Ex. WW1/7 was discarded, being photo copy and a forged document, yet it would throw light on the proposition whether Shri Sunil Dutt was an employee of the management or not. Since this document has been projected by the claimant to substantiate his claim, he can not raise his eye brows against its user, as detailed above. When scanned minutely no employee with the name of Shri Sunil Dutt was there in the list. There are two persons namely, Sunil Kumar and Sunil in that list who are of the category to which the claimant allegedly belongs. None of them was of the category of an Engineer, to whom application Ex. WW1/10 was allegedly presented by the claimant. Therefore, it is emerging over the record that there was no employee with the name of Sunil Dutt to whom leave application Ex. WW1/10 was presented. Ex. WW1/10 is not found to be a genuine document. Consequently this document is also brushed aside from consideration of his claim.

14. When documents referred above are discarded, ocular facts are available over the record to assess whether relationship of employer and employee was there between the parties. It is not a disputed fact that CNG Station Okhla Mor, New Delhi, was outsourced by the management. List of casual employees of the management which are Ex. MW1/8 have been placed over the record, in that list name of the claimant does not appear. Therefore, it is obvious that claimant was not engaged by the management. May be at some point of time his services were availed by the contractor, who might have destroyed that record. Under these circumstances it appears that the claimant might have worked at the said CNG Station in the capacity of an employee of a contractor. Ocular facts, unfolded by him nowhere establishes a claim to the effect that he was ever engaged by the management to perform jobs of a sweeper/

Station Boy. Hence the claimant has not been able to establish relationship of employer and employee between the parties.

15. When the claimant failed to show relationship of master and servant between the parties, in that situation the terms of reference becomes infructuous. When claimant is an employee of a contractor, in that situation the Central Government cannot be termed as appropriate Government for making a reference of the dispute for adjudication to this Tribunal.

16. Whether this Tribunal can proceed to adjudicate the issue as to whether termination of the services of the claimant by the contractor w.e.f. 5-4-2006 is legal and justified? In relation to any industrial dispute concerning an industrial undertaking or establishment enumerated in clause (a)(i) of section 2 of the Act, the Central Government is the appropriate Government. For the sake of convenience provisions of clause (a) (i) of section 2 of the Act are extracted thus :

“(a) appropriate Government” means—

- (i) in relation to any industrial dispute concerning any industry carried on by or under the authority of the Central Government or by a railway company or concerning any such controlled industry as may be specified in this behalf by the Central Government or in relation to an industrial dispute concerning a Dock Labour Board established under section 5A of the Dock Workers (Regulation of Employment) Act, 1948(9 of 1948), or the Industrial Finance Corporation of India Limited formed and registered under the Companies Act, 1956 (1 of 1956) or the Employees' State Insurance Corporation established under Section 3 of the Employees' State Insurance Act, 1948 (34 of 1948), or the Board of Trustees constituted under section 3A of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948), or the Central Board of Trustees and the State Boards or Trustees Constituted under Section 3A of the Coal Mines Provident Fund and Miscellaneous Provisions Act, 1948 (46 of 1948), or the Central Board of Trustees and the State Boards of Trustees constituted under section 5A and section 5B, respectively, of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), or the Life Insurance Corporation of India established under Section 3 of the Life Insurance Corporation Act, 1956 (31 of 1956), or the Oil and Natural Gas Corporation Limited registered under the

Companies Act, 1956 (1 of 1956), or the Deposit Insurance and Credit Guarantee Corporation established under Section 3 of the Deposit Insurance and Credit Guarantee Corporation Act, 1961 (47 of 1961), or the Central Warehousing Corporation established under section 3 of the Warehousing Corporations Act, 1962 (58 of 1962), or the Unit Trust of India established under section 3 of the Unit Trust of India Act, 1963 (52 of 1963), or the Food Corporation of India established under section 3, or a Board of Management established for two or more contiguous States under section 16, of the Food Corporations Act, 1964 (37 of 1964), or the Airports Authority of India constituted under section 3 of the Airports Authority of India Act, 1994 (55 of 1994), or a Regional Rural Bank established under section 3 of the Regional Rural Banks Act, 1976 (21 of 1976), or the Export Credit and Guarantee Corporation Limited or the Industrial Reconstruction Bank of India Limited, the National Housing Bank established under section 3 of the National Housing Bank Act, 1987 (53 of 1987) or an air transport service, or a banking or an insurance company, a mine, an oil field, a Cantonment Board, or a major port, the Central Government and

(ii) in relation to any other industrial dispute, the State Government;"

17. Service rendered to a contractor, would not accord status of appropriate Government on the Central Government. Who shall be the appropriate Government for the present dispute ? Answer has been provided in clause (a)(ii) of Section 2 of the Act, which contemplates that in relation to any other industrial dispute the State Government is the appropriate Government. However, this Tribunal is not oblivious of the proposition that union territory of Delhi enjoins a special status under the Constitution. Delhi is a Union Territory having some special provisions with respect to its administration. Article 239 of the Constitution speaks that every union territory shall be administered by the President acting, to such extent as he thinks fit, through an administrator to be appointed by him with such designation as he may specify. Article 239 AA makes special provisions with respect to Delhi, detailing therein that the union territory of Delhi shall be called the National Capital Territory of Delhi and the administrator thereof appointed in article 239 shall be designated as the Lieutenant Governor. There shall be Legislative Assembly, and provisions of article 324 to 327 and 329 shall apply in relation the Legislative Assembly of the National Capital Territory of Delhi as they apply in relation to a State. The Legislative Assembly shall have power to make laws for the whole or any part of the National Capital Territory with

respect to the matters enumerated in the State List or the Concurrent List except the matters with respect to entries 1, 2 and 18 of the State List and entries 64, 65 and 66 of that list, in so far as they relate to the said entries 1, 2 and 18. The Council of Ministers shall be headed by the Chief Minister to aid and advise the Lt. Governor in exercise of his functions in relation of the matters with respect to which the Legislative Assembly has power to make laws. In case of difference of opinion between Lt. Governor and his ministers on any matter, the Lt. Governor shall refer it to the President for decision and act according to the decision given thereon by the President and pending such decision the Lt. Governor is competent to take action in urgent matters. The Chief Minister shall be appointed by the President and Ministers shall be appointed by the President on the advise of the Chief Minister. Therefore, it is evident that though a Legislative Assembly is there in National Capital Territory of Delhi, yet it is a union territory administered by the President through the Administrator appointed by him. In case of difference of opinion between the Administrator and the Ministers, it is the decision of the President that prevails. Consequently the State Government merges with the Centre when Lt. Governor Administer the Union Territory or in case of difference of opinion the President decides the issue.

18. State Government has been defined in clause (60) of Section 3 of the General Clauses Act, 1897, in respect of anything done or to be done after commencement of the Constitution (7th Amendment) Act, 1956 in a case of State, the Governor and in a Union Territory, the Central Government. Therefore, it is evident that for a Union Territory, no distinction has been made between the State and the Central Government. The President Administers the Union Territory, through an Administrator appointed by him. In case of National Capital Territory of Delhi, it is being administered by the President though the Lieutenant Governor. Though there is a Legislative Assembly and Council of Ministers, Yet in case of difference of opinion between the Lieutenant Governor and Council of Ministers, the decision of the President shall prevail, which fact make it clear that for the purpose of administration of the Union Territory, the Central and the State Government merges over certain matter.

19. High Court of Delhi was confronted with such a proposition in M. K. Jain (1981 Lab. I.C. 62) wherein it was laid as follows :

"The award was sought to be voided, inter alia, on the ground that by virtue of the constitution and composition of the Corporation, Central Government was the only authority competent to make a reference of the dispute to the Industrial Court and that the reference by the Lieutenant Governor of Delhi was, therefore, in excess of powers. Even otherwise no exception could be taken to the order of reference, even if it be assumed that Central Government was the appropriate Government, In as much as the distinction between the Central and the State Government in relation to the Union Territory in our

constitutional framework is rendered illusory, Union Territory is administered by the President of India under Article 239 of the Constitution of India, acting to such extent as he thinks fit. Therefore the Administrator, to be appointed by him, in the case of Union Territory, there is an amalgamation of the constitutional classification of legislative and executive powers between the Centre and the States. According to Section 3(60) of the General Clauses Act, the "Central Government" in relation to the administration of Union Territory means the Administrator acting within the scope of authority given to him under Article 239 of the Constitution of India and in terms of Section 3(60) of the General Clauses Act, "State Government" as respects anything done or to be done in the Union Territory means the Central Government. In the case of Union Territory, therefore, the Central and State Governments merge and it is immaterial whether an order of reference is made by one or the other. This contention must, therefore, fail".

20. Again in Mahavir [97 (2002) DL T 922] the High Court was confronted with the same proposition. Relying the precedent in M. K. Jain (*supra*) with profit it was ruled that reference made by the Government of NCT of Delhi was not bad despite the fact that appropriate Government was the Central Government. Difference of State Government and Central Government goes to the brink of abolition when State Government has been defined as the Central Government by Clause (60) of Section 3 of the General Clauses Act and Delhi is being administered by the President through the Administrator appointed by him. Therefore, the aforesaid precedents make it clear that a status of union territory of Delhi can be termed as Central Government in certain matters.

21. Whether the Central Government can be termed as State Government for any purpose ? Article 53 of the Constitution provides that the executive power of the Union shall vest in the President and shall be exercised by him either directly or through officers subordinate to him in accordance with the Constitution. Article 73 defines extent of executive power of the Centre, that is, on matters which shall be controlled and administered by the Central executive. It has been detailed therein that the executive power of the union shall extend— (a) to the matters with respect to which Parliament has power to make laws and (b) to the exercise of such rights, authority and jurisdiction as are exercisable by the Government of India by virtue of any treaty or agreement. The extent of the State's executive power is set out in Article 161 of the Constitution. Administrative relations between the union and the states is to be dealt in accordance with the provisions of Article 256, 257, 258, 258A, 260 and 261 of the Constitution. Article 258A was added by 7th Amendment Act, 1956 to make a matching provision to clause (l) of Article 258 of the Constitution. While exercising powers contained in clause (1) of Article 258, the President is empowered to entrust union functions to a State Government or its officers. There was no provisions enabling the Governor of a State to entrust state functions to the Central Government or its

officers. That lacuna was found to be of practicable difficulty and provisions of Article 258 A were inserted in the Constitution. Thus it is evident that arena of union executive powers and the state executive powers are well defined.

22. Clause (8) of Section 3 of the General Clauses Act defines the Central Government in relation to administration of Union Territory, the Administrator thereof acting within the scope of authority given to him under Article 239 of the Constitution. Therefore, it is evident that Administrator of Government of N.C.T. Delhi has been defined to mean as Central Government to administer the Union Territory of Delhi. Hence for the limited purposes, provided in the Constitution, executive functions' of the Central Government can be entrusted to Government of a State or its Officers. The Central Government would not be termed as the State Government, when those functions are being executed by the State Government or its officers. So executive power of the Union can be exercised, in certain matters by the State Government or its officers but in that situation too the Central Government would not be termed as the State Government. The special provisions referred above would not make the reference, made by the Central Government as the reference made by Government of N.C.T. of Delhi.

23. There is other facet of the coin. This Tribunal was constituted vide notification No. A-11020/33/75-CLT dated 30-9-76. It was provided in the notification that the Tribunal has been constituted under the powers provided in sub-section (1) of sub section (2) of Section 7-A of the Act, with its headquarter at New Delhi. Another notification was issued on that very date empowering the Tribunal to adjudicate applications moved in sub-section (2) of Section 33-C of the Act, in relation to the workman employed in any 'industry' in the Union Territory of Delhi, in respect of which the Central Government is the appropriate Government. Therefore, the Tribunal has been empowered to adjudicate industrial disputes, in respect of which Central Government is the appropriate Government. As pointed out above, the appropriate Government in this case is the State Government. Under these circumstances this Tribunal cannot entertain the present dispute for adjudication, in respect of which appropriate Government is the State Government.

24. Since this Tribunal cannot invoke its jurisdiction to adjudicate the reference, hence the Tribunal refrains its hands from entering into the merits of the matter. The Central Government was not competent to make a reference of this dispute to this Tribunal. The parties should seek redressal at the appropriate forum. With these observations an award is passed. It be sent to the appropriate Government for publication.

Dr. R. K. YADAV, Presiding Officer

Dated : 25-10-2010

नई दिल्ली, 20 जनवरी, 2011

का.आ. 509.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन आयल

कापोरेशन लिमिटेड लिमिटेड के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/प्रम न्यायालय, कोलकाता के पंचाट (संदर्भ संख्या 20/2001) को प्रकाशित करती है जो केन्द्रीय सरकार को 20-1-2011 को प्राप्त हुआ था।

[सं. एल-30012/15/2001-आई आर (एम)]
रमेश सिंह, डेरेक्ट अधिकारी

New Delhi, the 20th January, 2011

S.O. 509.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 20/2001) of the Central Government Industrial Tribunal/Labour Court, Kolkata now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Oil Corporation Ltd., (Haldia Refinery) and their workmen, which was received by the Central Government on 20-1-2011.

[No. L-30012/15/2001-IR (M)]

RAMESH SINGH, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT KOLKATA

Reference No. 20 of 2001

Parties : Employers in relation to the management of the
Chief Human Resource Manager, IOC Ltd. (HR)

AND

Their workmen.

Present : Mr. Justice MANIK MOHAN SARKAR, Presiding Officer

APPEARANCE:

On behalf of the Management : Mr. A. Chowdhury, Advocate with Mr. N. K. Mehta, Advocate and Mr. S. Sengupta, Advocate

On behalf of the Workmen : Mr. B. Trivedi, Advocate.

State: West Bengal Industry: Petroleum.

Dated: 21st December, 2010

AWARD

By Order No. L-30012/15/2001-IR(M) dated 31-05-2001 the Government of India, Ministry of Labour in exercise of its powers under Section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of Haldia Refinery, Indian Oil Corpn. Ltd., in dismissing the services of Shri Bimalendu Maity, Operator is legal and justified ? If not, what relief the concerned workman is entitled to ?”

2. On the initiation by a dismissed workman of Haldia Refinery, Indian Oil Corporation Ltd., Bimalendu Maity, Operator, the present reference has been made to

assess whether the order of his dismissal from service by the management of Corporation was legal and justified.

3. The workman concerned had to face a departmental enquiry before order of his dismissal by the management Corporation with charges of giving false information and suppression of fact and also contracting another marriage while the wife is living without first obtaining the permission of the Corporation etc. None of the parties denied that these two points were entered in the list of misconduct in the Standing Orders of the management Corporation and since such allegations were made against the present worker, a domestic enquiry was initiated, enquiry was processed and subsequently on conclusion a report was submitted by the Enquiry Officer, confirming the charges levelled against him.

4. In the statement of claim, the workman raised a plea challenging the validity of the said enquiry proceeding as vitiated, perverse and denying natural justice to him and this Tribunal treating the said plea as preliminary issue took up the said objection from the side of the workman against the domestic enquiry and the question alleging the validity of the enquiry was taken up by my learned predecessor. Due opportunity was extended to both the parties to place their respective evidence as well as to argue in respect of their respective cases. Ultimately, this Tribunal by an order dated 30-12-2005 held the said domestic enquiry as valid and it was held that no interference was called for in the said domestic enquiry and the validity was upheld. In the said order this Tribunal decided to hear the present reference on the point of adequacy of punishment as imposed upon the concerned workman.

5. Since the management Corporation passed an order of dismissal of the workman concerned on the basis of the enquiry report, the provisions of Section 11A of the Industrial Disputes Act, 1947 which is subsequent addition to the provision of the said Act by Act 45 of 1971(w.e.f. 15th December, 1971), this Tribunal has a scope to consider adequacy of punishment awarded to the present workman. By introduction of the said section in the Industrial Disputes Act, 1947, the scope of this Tribunal was extended with the power to question the adequacy of punishment so inflicted upon the workman (only in case of order of dismissal) and gives this Tribunal a discretion to ascertain whether such order of dismissal was sufficient and justified and if not, Tribunal has been given with ample power under Section 11A to set aside the said order of discharge or dismissal by an award and either direct reinstatement of the workman concerned on same terms and conditions or to give such other relief including an award of lesser punishment in lieu of punishment by way of discharge or dismissal. In this context a reference can be made upon a decision reported in 2008(118) FLR 400 (Usha Breco Mazdoor Sangh v. Management of Usha Breco Ltd., & Another) relied upon by the Ld. Advocate for the management. In this case the Hon'ble Apex Court has interpreted Section 11A of the Act by stating that the provision of the said section had brought a complete change in this behalf and according to the Hon'ble Court —

".....This Court, despite insertion of section 11-A, not only conferred jurisdiction on the Tribunal to alter the quantum of punishment imposed upon a workman, but also held that it can enter into the merit of the matter so far as determination of the proof of misconduct or otherwise on the part of the workman is concerned.

Two extreme views, viz., that the entire law has been re-written and despite insertion of section 11-A, the management neither could raise the legality or validity of the Domestic Enquiry as a preliminary issue or request the Tribunal to allow it to adduce evidence before it even if no enquiry has been held or as to whether such a right can still be exercised by the management came up for consideration in Firestone Tyre and Rubber Co. (*supra*).

6. The management side alleged that the misconduct was done by the workman by violating the provisions made in the Standing Orders where different acts have been enlisted in the Heading No. 19 (Acts and Omissions Constituting Misconduct) and the workman was charged with two of such violations as described in paragraph 24 and principally in paragraph 41. It is claimed from the side of the management that since the Standing Orders of the Corporation specifically provides acts as being the misconduct, the workman has committed such misconduct specially the act described in Serial No. 41 which is a major offence by which the workman can be prosecuted in criminal court and such violation being proved in the domestic enquiry, the workman concerned cannot get any alternative relief besides the order of dismissal from service. In this context the Hon'ble Supreme Court also held in 2008(118) FLR 400 (*Supra*):

"24. The Management is not only required to scrupulously follow the procedures laid down therein but was otherwise bound to comply with the principles of natural justice. If a misconduct has been committed within the purview of the provisions of the Standing Orders, whether certified or Model, the workmen should be punished. The gravity of the offence, the impact the same would have on the other workmen as also the fact as to whether the same will have an adverse effect over the functioning of the industry are relevant considerations.

Firestone Tyre and Rubber Co. (*supra*) must be understood in the context in which it was rendered. Section 11-A of the Act as interpreted by Firestone Tyre and Rubber Co. (*supra*) must be applied at different stages. Firstly, when the validity or legality of the domestic enquiries is in question; secondly, in the event, the issue is determined in favour of the Management, no fresh evidence is required to be adduced by it whereas in the event it is determined in favour of the workmen, subject to the request which may be made by the Management in an appropriate stage, it will be permitted to adduce fresh evidence before the Labour Court."

7. So, from the provision of Section 11-A it is found that the legislation has given a jurisdiction to the Tribunal to interfere with the finding of the Enquiry Officer but in a restrictive way, to ascertain whether the punishment ordered against the defaulting workman was proportionate or otherwise. Question of fresh evidence at this stage has not been encouraged if the Tribunal already found in a preliminary issue that the Enquiry officer conducted the enquiry without any biasness, perversity or denial of any opportunity to the workman concerned in the line of natural justice. In this context again reference may be made to the decision in Usha Breco Mazdoor Sangh in 2008(118) FLR 400 (*supra*) wherein it was held by the Hon'ble Apex Court that 'in a case where the materials brought on record by the Enquiry Officer fall for re-appreciation by the Labour Court, it should be slow to interfere therewith.' In more clear way the Hon'ble Court held :

".....The Labour Court shall not interfere with the findings of the Enquiry Officer only because it is lawful to do so. It would not take recourse thereto only because another view is possible. Even assuming that, for all intent and purport the Labour Court acts as an appellate authority over the judgment of the Enquiry Officer, it would exercise appropriate restraint. It must bear in mind that the Enquiry Officer also acts a quasi-judicial body. Before it, parties are not only entitled to examine their respective witnesses, they can cross-examine the witnesses examined on behalf of the other side. They are free to adduce documentary evidence. The parties also the Enquiry Officer can also summon witnesses to determine the truth. The Enquiry Officer can call for even other records. It must indisputably comply with the basic principles of natural justice."

8. At this stage there must be a pause from the side of the Tribunal to assess the submission from the side of the workman claiming the punishment as harsh on him since the charge against the workman concerned was not proved at all.

9. Mr. B. Trivedi, Ld. Advocate for the workman initiated his argument by referring an order dated 03-12-2007 passed by my learned predecessor wherein an application filed by the workman on 19-09-2006 was heard and disposed of. In the said application the workman concerned prayed for recalling the order dated 30-12-2005 passed by this Tribunal in relation to the preliminary issue on the validity of the enquiry. Mr. Trivedi submitted that though the application of the workman concerned was defeated in the said order, but this Tribunal held that since the order dated 30-12-2005 observed that the findings of the Enquiry Officer do not appear to be *prima facie* perverse, the workman concerned had the opportunity to show the said finding to be perverse for awarding punishment which has been imposed upon him since the words '*prima facie*' was used in order dated 30-12-2005 in opining the order of Enquiry Officer not appearing as *prima facie* perverse. I myself have gone through the order dated 3-12-2007 wherein

this Tribunal held that the finding of this Tribunal in respect of validity of the enquiry proceeding was in favour of the Enquiry Officer, and the Tribunal rejected the application for recalling of the said order of this Tribunal. But, unfortunately, there was an observation by this Tribunal that through this Tribunal has observed earlier that the domestic enquiry was not perverse and it was validly done, it was held by this Tribunal through my learned predecessor, still the workman can get an opportunity to challenge the point of perversity of the domestic enquiry. I regret to say such a view cannot stand since the order dated 30-12-2005 is very much clear about the validity of the domestic enquiry and the test allegation of perversity and denial of natural justice has been tested and the allegations has been negated. It is also surprising to me why the workman concerned remained silent for so many years till the hearing on adequacy of punishment is taken up to raise the said plea and did not prefer for a revision of the said order dated 30-12-2005 by going through a higher forum. The order of this Tribunal on 30-12-2005 is not ambiguous and it is clear and the absence of perverseness in the mind of the Enquiry Officer and the validity of the enquiry proceeding was clear having no question. Though my learned predecessor in order dated 03-12-2007 has extended an opportunity to the workman to raise the question of perversity in the domestic enquiry again, I think, I am unable to extend any such opportunity to the workman concerned since the order dated 30-12-2005 has reached finality.

10. Mr. Trivedi again raised a very peculiar argument alleging that the order dated 30-12-2005 in respect of the validity of the domestic enquiry was done in *ex parte* and as it was so done, this Tribunal can set aside the said order only to give an opportunity to the workman concerned to show that the domestic enquiry was perverse since the charge made against the workman concerned has not been proved to show that the workman concerned has done a misconduct. He submitted that the workman concerned has a plea that the issue of chargesheet against him was a product of evil mind of the management by way of victimization for his trade union activities and he was not given with an opportunity to prove his such plea in the enquiry and so the subsequent order of dismissal thereupon by way of victimization, becomes liable to be set aside in view of the decision reported in 1973-I-LLJ SC 278 (Firestone Tyre and Rubber Co. case). He further submitted that such an opportunity was not also extended to him during the hearing on the preliminary issue of validity of domestic enquiry before this Tribunal. He termed the decision of this Tribunal on the question of validity of domestic enquiry was in the nature of *ex parte* order since such an opportunity was not extended to him and so the said order is to be set aside and at the time of hearing of the present reference under Section 11-A, the Tribunal should extend an opportunity to the workman concerned to produce evidence in respect of the strained relation in between the management and himself over such trade union

activities immediately before issue of chargesheet against him by the management. I have gone through the written statement of claim of the workman and though I find that in paragraph 10 of the said claim statement he has hinted about his trade union activities, but in going through his deposition before this Tribunal in course of the hearing of validity point, I do not find that even a word was whispered by this workman as a witness which meant his trade union activities against the interest of the management concerned causing annoyance to the management and to cause his victimization through such chargesheet of bigamy among others.

11. In course of argument before me, Mr. Trivedi, Ld. Advocate for the workman relied upon some decisions among which one is a reported decision in 1981-I-LLJ SC 327 wherein Mr. Trivedi relied upon the portion in the version of the Hon'ble Supreme Court :

“....an award without notice to a party, the award is nothing but a nullity. In such circumstances, the Tribunal has not only the power but also the duty to set aside the *ex parte* award and direct the matter to be heard afresh.”

But, unfortunately, no such occasion arose in this reference at any point of time since the disposal of the question of validity of the domestic enquiry was done upon hearing both the sides and extending opportunities for adducing evidence both oral and documentary to both the parties and the said matter was disposed by a detailed order covering several pages with discussion of the submissions of both sides' representative. Nowhere anything is found to show in the said order that it was *ex parte* in nature.

12. Mr. Trivedi also relied upon a decision reported in 2006-II-LLJ SC 772 and also AIR 1976 SC 98 and claimed that the Labour Court has the power to Interfere with the punishment If there is an allegation of victimization, even if the enquiry was conducted fairly and properly and if it is found that the findings of the domestic enquiry were perverse. I think these two decisions acted against the interest of the workman concerned since the Hon'ble Court in these two decisions has clearly opined that victimization should not only be pleaded but is needed to be proved by the person who claims the same and also such person is to show why he calls the findings of the domestic enquiry as perverse. Though the workman was given with full opportunity to unfold his case in defence both in the domestic enquiry as well as in course of hearing on the question of validity of the domestic enquiry in this Tribunal, no such plea was taken on any occasion and perhaps this is for the first time the workman has raised the plea of victimization.

13. Mr. Trivedi also claimed that the finding of the Enquiry Officer in respect of allegation of the workman contacting second marriage while his first wife was living as perverse as the workman claimed that such finding was based on heresay evidence and was not supported by any

legal evidence and since the finding in the domestic enquiry was a perverse one, the subsequent punishment by the management to the workman with the order of dismissal should not stand and it should be set aside. It has further been argued by Mr. Trivedi before me that even if there is an allegation of second marriage by the workman concerned that marriage should be proved in the proper fashion as Evidence Act requires, by way of proving the act of Sampradan and Saptapadi and relied on some decision reported in AIR 1965 SC 1564, AIR 1966 SC 614 and AIR 1971 SC 1153. On going through the said decisions it is found that these decisions were in matters where appellant was subjected to criminal charges under Section 494 I.P.C., a penal offence against bigamy and in the said prosecution, the provisions of Evidence Act is strictly followed. In this occasion, one decision may be recalled as reported in 1982-1-LJ SC 46 (supra) wherein a Three judges Bench of the Hon'ble Apex Court led by Hon'ble Justice V.R. Krishna Iyer held that :

"4. It is well settled that in a domestic enquiry the strict and sophisticated rules of evidence under the Indian Evidence Act may not apply. All materials which are logically probative for a prudent mind are permissible. There is no allergy to heresay evidence provided it has reasonable nexus and creditability. It is true that departmental authorities and administrative Tribunals must be careful in evaluating such material and should not glibly swallow what is strictly speaking not relevant under the Indian Evidence Act. For this proposition it is not necessary to cite decisions nor test books, although we have taken through case law and other authorities by counsel on both sides. The essence of a judicial approach is objectivity, exclusion of extraneous materials or considerations and observance of rules of natural justice. Of course, fair play is basis and if perversity or arbitrariness, bias or surrender of independence of judgment vitiates the conclusions reached, such finding, even though of a domestic Tribunal, cannot be held good."

From the above decision it is revealed that domestic enquiry does not require to follow the provision of Indian Evidence Act in its strict principle, but it should be in such a way that there may not be a miscarriage of justice. Even reliance of the domestic enquiry officer upon heresay has not been ruled out.

14. There is a plea from the side of the workman that the management has failed to produce proper evidence in course of domestic enquiry on the charge of second marriage by the workman during life time of his first wife. But in this context, it may be recalled that the domestic enquiry authority relied upon some evidence before preparation of its report. Among those, the Enquiry Officer relied upon the Voters' List of Sutahata Voting Area wherein the name of the alleged married wife, Tapasi Maity was found to appear with identification as the wife of Bimalendu Maity and also the name of the concerned workman is

appearing there in the following serial. Further, the Enquiry Officer relied upon the declaration of nomination given by the workman concerned having three girls and identifying them as his daughters, though the workman subsequently alleged to have withdrawn the same calling the same as by way of mistake. It is very strange conduct from the side of the workman and it is hard to believe that it was a mistake on his part since at the initial stage of his joining the service under the management he has given a declaration stating the names of his dependants including his first wife and children from that marriage among others and in the subsequent nomination the names of the three girls as daughters of the workman concerned were of different names and therein the name of the first wife or any of the previous declared dependent daughters are not appearing. The workman has claimed that he has earned reputation in course of his working tenure and attended different training and workshop on the recommendation of the management and it is revealed that he is prudent man and such a mistake on his part in the nomination form is not expected. It is a voluntary act on his part and when he felt that actually he committed a mistake by disclosing offspring through second marriage in the official record, he tried to hush it up by way of withdrawal claiming the same as done by way of mistake. The complaint application of his wife is also in the record of the domestic enquiry though the said first wife was not examined in course of such domestic enquiry. But it does not go to help the workman as he himself did not take any effort to bring Bhakti Rani Maity alleged to be the first wife of the workman, as his witness to prove that she is his only wife and he had no other wife. Perhaps it was not an easy task for the workman, Bimalendu Maity since the complaint of entering into the second marriage by him came from his said first wife, Smt. Bhakti Rani Maity and if Bimalendu would have produced her as a witness before the Enquiry Officer in his defence, perhaps he would have done an act like opening Pandora's Box and stuck by the sting in his peril. Further, in the domestic enquiry record it is also found that said Bhakti Rani Maity brought several criminal charges against Bimalendu Maity before Criminal Court among which she disclosed only one where she claimed for maintenance for herself and daughters. A copy of the order of the Criminal Court in respect of maintenance case, though ending with withdrawal of the same on some terms, has been attached with the enquiry report. The daughters through first wife, Smt. Bhakti Rani Maity became grown up by the course of time and in course of the domestic enquiry the eldest one is found to be married. If the workman, Bimalendu Maity was clear against bigamy charge he would have tried his fate through the oral evidence of his said daughters, but he did not. In other words the workman, Bimalendu Maity never tried to fan-out blames surrounding him with the charge of bigamy and other defence he has taken in course of domestic enquiry. I have also gone through the finding of the Domestic Enquiry Officer and I find that the Enquiry Officer has scanned those evidence in his findings.

15. As already stated in the preceding paragraphs that in Clause 41 in Item 19 of the Standing Orders of the Corporation contracting another marriage while the wife/husband is living without first obtaining permission of the Company notwithstanding such subsequent marriage being permissible under the personal law for the time being applicable to her/him. The said act by any employee under the management Corporation amounts to misconduct as per their Standing Orders. The language of the said misconduct is almost tallying with the verbatim description of Section 494 of the Indian Penal Code wherein it is stated "Whoever, having a husband or wife living, marries in any case in which such marriage is void by reason of its taking place during the life of such husband or wife, shall be punished....." and the said Section has provided for punishment with imprisonment of either description for a term which may extend to seven years and shall also be liable to fine. Item 20 of the Standing Orders has the provision for "Penalties for misconduct" and therein sub-clause (viii) of Clause 1 there is provision for dismissal without notice, if any workman is found guilty of misconduct on domestic enquiry upon a chargesheet.

16. Though in the preceding paragraphs discussions have been made in respect of the impact of provisions of the Standing Orders of the employer, repetition of the same is needed to recollect the said findings made by the Hon'ble Apex Court in 2008(118) FLR 400 in Usha Breco Mazdoor Sangh case in the following words :

"If a misconduct has been committed within the purview of the provisions of the Standing Order, whether certified or Model, the workmen should be punished. The gravity of the offence, the impact the same would have on the other workmen as also the fact as to whether the same will have an adverse effect over the functioning of the industry are relevant considerations."

17. There is a proverb that "Which is not certain cannot be obligatory" or "de minimis non cura lex" or law does not take cognizance of trifles. So to bind the workmen to a code of conduct, the codification of the said code of conduct was felt needed to be done well in advance so that a workman on joining any organization should know what he should not do to protect himself from the act of misconduct. This code of misconduct is done in both ways of "dos and non-dos". The code of misconduct explains that certain acts are to be done ignorance of which would amount to misconduct and also mainly not to do certain listed works in course of employment which will amount to misconduct. For this reason most of the employers of the workmen normally maintains Standing Orders codifying the misconduct amongst other matters in the Standing Orders. It is fact that the Standing Order is not exhaustive with the list of misconduct and there may be some misconduct/misconducts which are not listed in the list of misconducts in the Standing Orders, yet it will become

misconduct unless condone by the employer and even if a workman causes any misconduct not even listed in the Standing Order, he may become liable to appropriate action.

18. So, if the act done by the workman in the present reference finds a place in the list of misconduct in the Standing Order of the employer, he cannot escape from his liability to face action by the management in the regard, if the charge of such misconduct against him is proved through a domestic enquiry.

19. Now comes the stage of appreciating about proportionality of the punishment of the workman in the present reference. Bimalendu Maity by way of dismissal from the service on the basis of the domestic enquiry report against him. It is no doubt that the dismissal is a major punishment since such a punishment causes financial disaster in the family of the workman concerned together with a blemish of dismissal for doing such a serious act which causes his dismissal in the eye of society as well as before the other employer where he will proceed seeking employment. But, as already referred, it is found that a charge of bigamy, if proved before a Criminal Court calls the offender to undergo imprisonment upto seven years together with fine thereupon. The offence involving imprisonment upto seven years, no doubt creates the offence as a major one before the Criminal Court. Further, the commission of second marriage by an employee in particular causes financial hardship to a legally married wife, children through that marriage tie and also creates some social problem involving them. I do not find any avenue through which the workman concerned can be taken out for a lesser punishment by terming the misconduct he has done as a minor one.

20. In my view the management Corporation has done no wrong in ordering dismissal of the present workman, Bimalendu Maity since the charge of allegation of second marriage during the life time of the first marriage has been declared to have been proved in a domestic enquiry which is personal activities of the management for keeping discipline in the area of employment provided the same was done without defeating the natural justice to the workman and without any mind of vindictiveness.

21. In conclusion, I am of the view that by passing an order of dismissal of the workman, Bimalendu Maity by the employer Corporation, no miscarriage of justice has been done and since the misconduct is treated as serious and major, a punishment of major nature was inflicted upon him and it does not need any interference in the present reference and it was passed by following the legal provision to that effect and it was justified one. An Award is passed accordingly in view of the above findings.

Dated, Kolkata,
the 21st December, 2010.

JUSTICE MANIK MOHAN SARKAR, Presiding Officer

नई दिल्ली, 20 जनवरी, 2011

का.आ. 510.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन आयल कार्पोरेशन लिमिटेड, गुवाहाटी के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, गुवाहाटी के पंचाट (संदर्भ संख्या 14 सी/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-1-2011 को प्राप्त हुआ था।

[सं. एल-30011/2/2002-आई आर (एम)]
रमेश सिंह, डेस्क अधिकारी

New Delhi, the 20th January, 2011

S.O. 510.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 14(c)/2000) of the Central Government Industrial Tribunal/Labour Court, Guwahati now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Oil Corporation Ltd. and their workmen, which was received by the Central Government on 20-1-2011.

[No. L-30011/2/2002-IR (M)]

RAMESH SINGH, Desk Officer

ANNEXURE

IN THE INDUSTRIAL TRIBUNAL : GUWAHATI, ASSAM

Reference Case No. 14(C) 2000

Present : Md. S. Hussain,
Presiding Officer,
Industrial Tribunal, Guwahati,
Guwahati-1

In the matter of an Industrial Dispute
between :

The Management of
Indian Oil Corporation Ltd., Guwahati

Versus

Their workman rep. by the General Secy.,
Thikadari Shramik Union, Guwahati
Refinery, Guwahati.

Date of Award : 30-12-2010

AWARD

The Govt. of India, Ministry of Labour, New Delhi by a notification No.L- 30011/2/2000-IR(M) dtd. 19-5-2000 referred an Industrial Dispute between the Management of Oil India Ltd., Guwahati and their workmen represented by the General Secy., Thikadari Shramik Union, Guwahati Refinery, Guwahati on the following issue :

"Whether the termination of 21 contract labour as list enclosed by I.O.C.(MD) Guwahati through Subin Das contractor working in the L.P.G. plant at Guwahati Refinery with effect from 1-10-99 as a result of committee report is justified? If not, to what relief these workmen are entitled ?"

The record is put up to-day. The management of Oil India Corporation Limited files to-day the copy of order of Hon'ble High Court dated 22-6-2004 passed in 7086/2000 which shows that the Hon'ble High Court vide that order set aside and quashed the reference Notification No. L-30011/2/2000-IR(M) dated 19-5-2000 issued by the Central Government. Accordingly this reference case will not proceed any further and the issues referred by the stands dropped. Send the copies of this order to the government for publication.

Given under my hand and seal on this the 30th December, 2010.

Md. S. HUSSAIN, Presiding Officer

नई दिल्ली, 20 जनवरी, 2011

का.आ. 511.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 204/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-1-2011 को प्राप्त हुआ था।

[सं. एल-12012/39/2002-आई आर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 20th January, 2011

S.O. 511.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 204/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workmen, received by the Central Government on 19-1-2011.

[No. L-12012/39/2002-IR (B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE SHRI J.P.CHAND, PRESIDING OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT /NGP /204/2002

Date: 17-1-2011

Party No.1 (i) The Asstt. General Manager,
State Bank of India, Zonal Office,
S.V. Patel Marg, Kingsway,
Nagpur-440001.

- (ii) The Deputy General Manager,
State Bank of India, Zonal Office,
S.V. Patel Marg, Kingsway,
Nagpur-440001.

Versus

- Party No.2 : The Secretary,
S.B.I. Staff Union, Nagpur Module,
Zonal Office, C/o SBI Zonal Office,
S. V. Patel Marg,
Nagpur-440001.

AWARD

(Dated : 17th January, 2011)

This is a reference made by the Central Government in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) for adjudication of the industrial dispute between the management of State Bank of India and their workman, Shri L.P. Kate (here-in-after referred to as "the workman") under reference No.L-12012/39/2002-IR(B-I) dated 28-06-2002, with the following schedule :—

"Whether the action of the management of the State Bank of India, Nagpur in bringing down the scale of pay of Shri L.P. Kate, Messenger, SBI, Grain Market, Nagpur by 5 states vide order order of the disciplinary authority dated 2-12-2000 and the orders of the appellate authority dated 20-3-2001 is justified? If not, what relief the said workman is entitled ?

2. After receipt of the reference, the parties were noticed to file their respective Statement of Claim and Written Statement and in response to such notice, the workman filed his Statement of Claim through the union, namely, "State Bank of India Staff Union, MC", whereas, the management of the State Bank of India ("The 1st party" in short) filed its Written Statement.

In the statement of claim, it is pleaded on behalf of the workman that the workman came to be appointed w.e.f. 8-5-1979 as a messenger in the State Bank of India and worked in different branches and while he was working in Gandhi Grain Market Branch at Nagpur, a charge sheet dated 30-10-1998 containing ten charges was served on him and the workman submitted his reply to the said charge sheet, but the 1st party decided to initiate a disciplinary proceeding against him and the enquiry was conducted by one Shri Ghosh, OSMG-III and at the time of the commencement of the enquiry, the workman was being represented by another union, but, being dissatisfied with the manner of conducting the defence, the workman approached the present union for help and accordingly the union authorized, Shri Shyam Gulgulwar to defend the case of the workman and Shri Gulgulwar finding the enquiry to have already been started, asked for copies of the

proceedings and the documents already exhibited from the side of the management, but, the Inquiry Officer refused to supply such copies and as such, it can be said that the enquiry was held against the principles of natural justice and the enquiry is vitiated and after completion of enquiry, the Disciplinary Authority gave a show cause notice in which the punishment of stoppage of ten increments was proposed and the workman submitted his reply mentioning therein about the charges not to have been proved against him and the inquiry to be bad in law and prayed to exonerate him from the charges, but his representation was overlooked and the harsh punishment of stoppage of ten increments was imposed upon him and such punishment was imposed without application of mind and being aggrieved by such punishment, the workman preferred an appeal before the Appellate Authority and the Appellate Authority reduced the punishment and awarded punishment of stoppage of five increments with cumulative effect and such punishment is also harsh and disproportionate to the charges. It is further pleaded on behalf of the workman that the Enquiry Officer was biased and he failed to give reasonable opportunity to defend the case, as per the principles of natural justice and stale allegations were included in the charge sheet and as such the charge sheet was bad-in-Law, and the charge sheet was in English and as such workman was not able to understand the same and the enquiry was concluded in a hurry, within one month, without giving any adjournment to the defense, even though prayer was made for such adjournment and the enquiry was conducted in a novel and foreign method and the enquiry on 5-2-1999 was conducted ex-parte and reasonable opportunity to cross-examination was not given and copy of the enquiry report was not made available to the workman. The workman prayed for declaring the order of punishment as illegal and to pass necessary orders.

The 1st party has made two fold contentions in its Written statement for resisting the claim of the workman. The first contention raised is that the dispute is not an industrial dispute within the meaning of Section 2(k) of the I.D. Act and the same is an individual dispute, as there is no community of interest and without having any connection with other workmen. The other contention raised is that the union with ill intention has suppressed the relevant and material facts and has painted a distorted picture of the facts. It is further pleaded by the 1st party that while the workman was working as a messenger at State Bank of India, Gandhi Grain Market Branch at Nagpur, committed serious and repeated acts of gross misconduct and he remained unauthorized absent for 444 days and was issued with memos by the Branch Manager from time to time and on 28-08-1998, he crossed all the limits of discipline and reported late at the Branch at 12.50 p.m., instead of the prescribed time of 12.30 p.m., so the Branch Manager refused to take him on duties, but he forcibly signed the muster roll

and also made false entry in the same and shouted on the Branch Manager and uttered very obnoxious utterances and on 11-8-1998, 12-8-1998 and 13-8-1998, the workman left the branch much prior to the prescribed time of 8 p.m., i.e. 6.30 p.m., 6.30 p.m. and 6.45 p.m. respectively and committed fraud by putting false timings of departure in the Bank's records and he also committed other acts of gross misconducts of not performing his duties of keeping back all the ledgers/files/documents in respective cup boards, in spite of asking by superiors, availed advance of 10,000 on false grounds of alleged marriage of his sister and misutilised the amount, misutilising the staff loan, coming to the branch premises in highly drunken condition and creating scene in the branch premises, so, the 1st party issued the charge sheet inter-alia leveling 10 different charges against him, consisting of acts of subservient discipline, riotous behavior, unauthorized absence, disobedience to the reasonable orders of the higher ups and leaving the place of work without the prior permission and misrepresentation to draw loan and in the enquiry, the workman was first represented by a senior office bearer, Shri Santosh Moryya and then by another senior office bearer, Shri S. T. Gulgulwar and the enquiry was held in five different sittings and four witnesses were examined by the 1st party and one witness was examined on behalf of the workman and after giving a fair opportunity to the workman, the Inquiry Officer submitted his report dated 24-3-1999 holding all the charges, except charges no. 7,8 and 9(a) to have been proved and the Disciplinary Authority after considering the enquiry report and examination of the other materials on record, did not agree with the findings of the Inquiry Officer, so far the charge nos. 7,8 and 9(a) are concerned and concluded the said charges also to have been proved and issued show cause notice dated 10-7-1999, proposing the punishment of "dismissal without notice" under Para 521 (5)(a) of the Sastry Award and in response to the said show cause notice, the workman through his representative submitted his reply on 10-8-1999 and also availed the opportunity of personal hearing on 10-8-1999 and taking into consideration the show cause and the request of the workman to take a lenient view and to save his family from coming to the streets, the Disciplinary Authority took a lenient view and passed the order dated 2-12-2000, imposing the punishment of bringing down the scale of pay of one stage for each charge, instead of dismissal without notice and on consideration of the appeal filed by the workman, the Appellate Authority took a further lenient view and imposed the penalty of bringing down the scale of pay for five stages, instead of ten stages. It is also pleaded by the 1st party that the enquiry was held in compliance of the principles of natural justice and the workman was served with the charge sheet and he was represented by top level senior office bearer and the bank examined four witnesses and they were cross-examined by the workman and one witness was examined by the workman, who was also cross-examined by the

management and the workman was given every opportunity to defend himself in the enquiry and the second show cause notice was issued to him along with the enquiry report and the workman submitted his reply and was also heard through his representative and having regard to the gross misconduct of the workman, the Bank has rightly passed the order of bringing down, the scale of pay of the workman by five stages.

4. The union filed rejoinder stating that the union was fully authorized by the workman to raise the dispute and the union is a registered union and is recognized by the Bank.

5. It is necessary to mention here that from 22-3-2007, neither the workman himself nor any union representative on behalf of the workman appeared in the case. Hence argument was heard ex-parte against the workman.

6. Perused the record. Though in the statement of claim, the workman has raised objection that the departmental inquiry was not conducted properly and by following the principles of natural justice, after perusal of the record including the documents of the inquiry, I find no force in the same. It is found from the record that the workman had been informed clearly of the charges leveled against him and the witnesses were examined in presence of himself and his representative and he was given a fair chance to cross-examine the witnesses and he was also given chance to examine witnesses on his behalf and the Inquiry Officer has recorded his findings with reasons for the same. It is also found that the findings are based on evidence on record and not perverse. It is also found that the punishment of bringing down the scale of pay of the workman to five stages is justified, in view of the gross misconduct proved against him and the same is not shockingly disproportionate to the charges proved against him. Hence, I do not find any valid reason to interfere with the punishment imposed against the workman. Hence it is ordered.

ORDER

The action of the management of State Bank of India, Nagpur in bringing down the scale of pay of Shri L. P. Kate, Messenger, SBI Grain Market Branch, Nagpur by 5 stages vide order of the Disciplinary Authority dated 2-12-2000 and the orders of the Appellate Authority dated 20-3-2001 is justified and the workman is not entitled for any relief.

J. P. CHAND, Presiding Officer

नई सिल्ली, 20 जनवरी, 2011

का.आ. 512.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच

अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, धनबाद के पंचाट (संदर्भ संख्या 83/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-1-2011 को प्राप्त हुआ था।

[सं. एल-12012/19/2005-आई आर (बी-1)]
रमेश सिंह, डेस्क अधिकारी

New Delhi, the 20th January, 2011

S.O. 512.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 83/2005) of the Central Government Industrial Tribunal 1, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workmen, received by the Central Government on 18-1-2011.

[No. L-12012/19/2005-IR (B-1)]
RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference U/s. 10(1)(d) (2A) of I.D.
Act.

Reference No. 83 of 2005

Parties : Employers in relation to the management of State Bank of India.

AND

Their Workman.

Present : Shri H.M. Prasad, Presiding Officer

APPEARANCES :

For the Employers : Shri R.N. Ganguly,
Advocate

For the Workmen : Shri S.C. Gour, Advocate

State : Bihar Industry : Bank.

Dated, the 28-12-2010

AWARD

By order No. L-12012/19/2005-IR(B-1) dated 5-10-2005 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of State Bank of India, Patna in terminating the services of Sh. Ram Pravesh Patel, S/o Jai Narayan Singh, Vill-Modha Chatur, P.O. Madah Dih, Dist. Vaishali (Bihar) instead of regularising

without complying Section 25F of I.D. Act is legal and justified? If not, to what relief above workman is entitled to?"

2. The case of the concerned workman is that he was engaged by the management of Sumerganj Branch S.B.I. as a casual worker in the year 1991 for jobs of Peon, Canteen Boy etc. on a monthly consolidated salary of Rs. 500. One Harendra Singh, permanent messenger of the S.B.I. was placed under suspension in July, 1998 and the Manager of the S.B.I. Branch engaged the concerned workman as Messenger which I continued till August, 2000. The management from time to time assured the concerned workman to regularise his services as a Messenger in the said Branch of S.B.I. He worked in the S.B.I. from 1991 to 2003 continuously and completed more than 240 days attendance in a year. The management stopped the concerned workman from service in April, 2003, without any notice etc. and without complying Sec. 25-F of the I.D. Act, 1947.

It has been prayed that the Hon'ble Tribunal be pleased to pass award holding that the termination of service of the concerned workman is not justified and he is entitled to be regularised on reinstatement.

3. The case of the management is that the concerned person was never appointed by the employers at any point of time in any post whatsoever. It has been stated that in case of vacancy in any post under the employers, the same is filled up after adopting and observing the procedure and rules for recruitment of State Bank of India and nobody is empowered to appoint any person directly without following the aforesaid rules and procedures without proper sanction from the competent authority. It has also been stated that one of the measures of welfare activity, employer subsidises the cost of running Canteen at most of its branches of S.B.I. through the employers are not statutorily required to keep a Canteen in most of their branches including the Surmerganj Branch. According to the scheme of welfare activities these canteens are run by the Local Implementation Committee consisting of members of the staff at the branches concerned and not by the employers directly or departmentally. The aforesaid Local Implementation Committee is fully responsible for the said Canteen, look after all affairs of such canteen including appointment of Canteen Boys, and payment of wages to them, supervise the work and deployment of a Canteen Boy and such Canteen Boys are the employees of Local Implementation Committee and not of State Bank of India by any stretch of imagination. The person concerned was employed/engaged by the Local Implementation Committee at the Surmerganj Branch of State Bank of India and he was not an employee of the Bank, besides there is no sanctioned post of a Canteen Boy in the said branch. It has also been submitted that Section 25-F of Industrial Disputes Act, 1947 is not attracted in the instant case. Under the circumstances, the Constitutional Bench Judgement of

Supreme Court in Uma Devi's case, the concerned person is not entitled to get any relief.

It has been prayed that the Hon'ble Tribunal be pleased to pass an award in favour of the management holding that the concerned person is not entitled to any relief.

4. Both the parties have filed their respective rejoinders denying and admitting the contents of some of the paragraphs of each other's written statement.

5. The management has produced MW-1, Ramesh Chandra. The concerned workman has produced himself as WW-1.

6. Main argument/argument advanced on behalf of the concerned workman is that he was working with the management for more than 240 days from July, 1998 till August, 2000. He has worked more than 240 days, so he is entitled for regularisation. But the management did not regularised and not treated him as an employee of the management and removed him without complying of Sec.25-F of the I.D. Act. It has also argued that one Harendra Singh, Permanent Messenger of the S.B.I. was placed under suspension in July, 1998 and the Manager engaged the service of the concerned workman as Messenger from July, 1998 till August 2000. He was stopped from service from April, 2003. The concerned workman worked from 1991 to 2003 continuously and as per policy of the Bank he is entitled for regularisation.

In this respect the management's counsel argued that there is no relationship of employer-employee between the employers and the concerned person. The present dispute is not an industrial dispute under Sec. 2(k) of the I.D. Act because he is not a workman within the meaning of Sec. 2(o) of the I.D. Act. No industrial dispute can be raised by the concerned workman under Sec. 2-A of I.D. Act. There is no vacancy for the post to be filled by absorbing the concerned person because he is a workman of the canteen which is run by Local Implementation Committee which is fully responsible for the said canteen, look after all affairs of such canteen including appointment of Canteen Boys and payment of wages to them, supervise the work, so he is the employee of the Local Implementation Committee and not the employee of the Bank.

In this respect the representative of the concerned workman argued that he was paid wages by the Bank a monthly consolidated amount of Rs. 500 per month. But no document has been filed by him.

7. The concerned workman (WW-1) has stated in cross-examination at page-3 that I was not appointed by the State Bank of India. I was appointed on daily rated basis. I never appeared before the Selection Committee. I have not filed the application which I submitted before the Branch Manager of the Bank for my engagement on daily wages basis. Local Implementation Committee used to run

the canteen in the Branch Bank. I do not know if the Local Implementation Committee used to engage persons required for the canteen. I cannot say if the Local Implementation Committee of the Branch Bank engaged me. I cannot say Local Implementation Committee worked from which date to which date. I have worked from 1991 to 1993. It shows that he is an employee of Local Implementation Committee. He has not been stopped or appointed by the State Bank of India.

In this respect the concerned workman referred AIR 2001 Supreme Court 526 in which Hon'ble Supreme Court laid Administrative Tribunals Act (13 of 1985) S.14-Government employees—Defence Services—Employees in Unit-Run-Canteens-Are Govt. employees—CAT retains jurisdiction to entertain their applications treating them as Govt. employees, by itself if so facto entitle them to get all service benefits as is available to regular Govt. servants or even their counter part.

8. The management has referred (2000) 5 Supreme Court Cases 531 in which Hon'ble Supreme Court laid down—Labour Law—Canteens—Canteens run by Local Implementation Committee at branches of State Bank of India (the Bank) as per the welfare scheme of the Bank—Employees of such canteens, held, are not employees of the Bank as there is no statutory or contractual obligation or obligations under Sastry Award on the Bank to run such canteens—They cannot contend that they were being discriminated—To promote canteen facilities by providing subsidy or other facilities is altogether different from running the canteen.

9. Considering the above facts and law laid down by the Hon'ble Supreme Court reported in (2000) 5 Supreme Court Cases 531, the concerned workman is not an employee of the Bank as there is no statutory or contractual obligation or obligation under Sastry Award on the Bank to run the canteen.

20. In the result, I hold that the action of the management of State Bank of India, Patna in terminating the services of Sh. Ram Pravesh Patel, instead of regularising without complying Section 25-F of I.D. Act is legal and justified and accordingly the concerned workman is not entitled to any relief.

H.M. SINGH, Presiding Officer

नई दिल्ली, 20 जनवरी, 2011

का.आ. 513.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण धनबाद के पंचाट (संदर्भ संख्या 39/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-1-2011 को प्राप्त हआ था।

[सं. एल-12012/187/95-आई आर (बी-1)]
रमेश सिंह, डेस्क अधिकारी

New Delhi, the 20th January, 2011

S.O. 513.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 39/97) of the Central Government Industrial Tribunal-cum-Labour Court-1, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workmen, received by the Central Government on 18-1-2011.

[No. L-12012/187/95-IR (B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference U/s. 10(1)(d) of I.D. Act, 1947

Reference No. 39 of 1997

Parties : Employers in relation to the management of State Bank of India, Patna.

AND

Their Workmen.

Present : SHRI H.M. SINGH, Presiding Officer

APPEARANCES :

For the Employers : Shri K.N. Gupta,
Advocate

For the Workmen : Shri D.K. Jha, Advocate

State : Bihar Industry : Bank.

Dated, the 29-12-2010

AWARD

By Order No. L-12012/187/95-IR(B-I) dated 17-1-1997 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of subsection (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of State Bank of India, Patna in terminating the services of Sh. Raju Kumar from the post of Sweeper is justified? If not, to what relief the workman is entitled to?"

2. The case of the concerned workman, in brief, is that he was employed in the State Bank of India as Sweeper on part-time basis from 1984 to 31-5-94 and he had put in a total of 887 days of working with some artificial breaks, such as, in the year 1984 to 1985—270 days, in the year 1986 to 1993 May—270 days and from 1-6-93 to 31-5-94—347 days i.e. total 887 days. The Bank management in the course of employment adopted a technique of appointing/

engaging the workman on temporary part-time basis, though in fact he continued to work for full days and dispensing the services of the concerned workman for a short spell of period and continued to pursue this technique during the tenure of employment of the concerned workman just to debar him to complete 240 days of continuous service in 12 calendar months. The concerned workman was engaged orally and terminated orally. He even against this technique had put in more than 240 days of continuous service in the year 1993-94 in 12 calendar months preceding the date of termination with effect from 1-6-1994. He was orally terminated from service w.e.f. 1-6-1994 when he was working as a Sweeper at the residence of Chief General Manager of the Bank at Raja Bazar Branch, Patna and he was granted certificate of working for a total period of 347 days by the General Manager signed by the Asstt. General Manager, Mr.S.R.Bose. He was paid wages from the Bank for doing the job of Sweeper in the residence of the General Manager through Bank's Cheque. Prior to his engagement at the residence of the General Manager's residence at Raja Bazar the concerned workman was paid wages through vouchers right from 1984. He was working on permanent vacant post. He was terminated without any order in writing and without any notice, pay and retrenchment compensation w.e.f. 1-6-94. Before stoppage no seniority list was displayed as required under Rule 77 of the I.D. (Central) Rules, 1957. The Bank management after terminating the services of the concerned workman appointed a number of fresh hands but failed to give notice to the workman for his re-employment of retrenched workman as per Sec.25H of the I.D. Act. After termination of service the concerned workman represented before the management on 10-6-94 and 5-7-94 and sent lawyer's notice on 21-7-99 under registered post but without any effect. Ultimately an industrial dispute was raised on 13-9-94 before the A.L.C. (C), Patna, which ended in failure. Thereafter the dispute has been referred to this Hon'ble Tribunal for adjudication.

It has been prayed that the Hon'ble Tribunal be pleased to pass an award in favour of the workman.

3. The case of the Management is that the services of Raju Kumar were not terminated by the management. It came to an end automatically after expiry of a fixed contract period. A person ceasing to work under such circumstances can not be said to have been terminated from service. It has been submitted that at the time or even prior to that when the concerned workman ceased to work, he was not discharging the duties of the Bank. He worked at the residence of an Executive of the Bank. He was not as such engaged in an Industry. The Bank on account of exigency of work in the establishment used to engage persons purely on temporary and casual daily rated basis so that the temporary need of work could be taken care of. Such engaged person had no right to claim a regular appointment or to be absorbed permanently in the Bank services. The

concerned workman was engaged at times as casual daily rated employee by the Bank. He was asked to work as and when his services were required by the Bank. But at no point of time he was assured that he was engaged against a permanent existing vacancy and/or permanent basis and would be absorbed in regular cadre in future. Whenever he worked he knew that he was a casual worker. The concerned workman was engaged to work as sweeper at the residence of General Manager (Audit & Inspection), Patna on part-time basis. The engagement of the concerned workman came to an end after completion of 30 days automatically. It was not a case of termination of service. The name of the concerned workman was kept in panel and he was also entitled to be absorbed on regular basis in order of seniority. The management after preparation of the panel offered appointment in the regular cadre on seniority basis depending upon the vacancy available and/or as and when occurred. The name of the concerned workman was in the panel and he was also offered appointment as and when his turn came but he refused to accept the same. He has no legal right to hold the post, as he was purely casual and daily rated employee and was appointed on term basis. The question of his reinstatement in service is neither permissible in law nor justified in the facts and circumstances mentioned above.

It has been prayed that this Hon'ble Tribunal be pleased to pass an award holding that the concerned workman is not entitled to any relief.

4. Both the parties have filed their respective rejoinders admitting and denying the contents of some of the paragraphs of each other's written statement.

5. Management has produced MW-1, S.N. Sandhwal and the concerned workman has produced himself as WW-1(Raju Kumar).

Documents have been marked on behalf of the management as Exts. M-1 to M-9 and documents have been marked on behalf of the concerned workman as Exts. W-1 to W-13.

6. Main argument advanced on behalf of the concerned workman is that he has worked with the management since 1984 up to 1994 and has worked for more than 240 days in 12 calendar months but he has not been regularised and not given permanent appointment by the management.

7. The management's representative argued that the concerned workman was given appointment, but he refused.

The representative of the workman argued in this respect that he was given appointment for six months as temporary, though his name was found in suitable candidates appointed by the management. Where was vacancy but the appointed him temporarily for six months which is illegal and against rules, so he had refused to join.

8. Document which has been filed by the concerned workman shows that he was engaged by the management from time to time and paid wages by Cheque as per Ext. W-10 series and he worked in the residence of the General Manager. Certificates have been given by different officers of the management in favour of the concerned workman for employment.

Management's witness MW-1, S. N. Sandhwal, has stated in cross-examination that the concerned workman was engaged in the concerned Bank as part-time sweeper on casual basis from the year 1988 to 1994. In cross-examination the witness has stated the concerned workman has continued to work from 1988 to 1994. Ext.W-6 shows that he was engaged in 1984. Certificates have been given by the management as per Ext. W-7 and W-8 for work and Ext.W-9 shows that he (concerned workman) worked for 347 days from 1-6-93 to 31-5-94. MW-1 also admitted that the concerned workman was paid as per Ext. W-10 for the period between 7-7-93 to 1-6-94 by the Bank, through cheques. MW-1 again at page 5 admitted that as per Ext. W-2 an industrial dispute was raised by the concerned workman before A.L.C.(C) sometime in the year 1997 and in this reply dated 10-10-94 submitted by the management before A.L.C. (C) it is mentioned that the concerned workman has been interviewed for permanent employment and would be offered employment in due course. In this respect the concerned workman submitted his letter to the Asstt. General Manager, S.B.I. dated 7-4-97 by which he mentioned that he was prepared to forego his back wages if he is reinstated in service, as per Ext. W-11. Even if giving undertaking by the concerned workman that he is prepared to forego his back wages the management has not reinstated him in service which is against labour practice by the management. Ext.W-2 is letter dated 10-10-94 in which his name finds place in Bank's panel for employment. Ext. W-3 is another letter by the management and Ext. W-4 is absorption policy of the Bank under which the concerned workman was offered absorption by the management. Ext.W-6 is certificate by the Branch Manager, Patna, for his good conduct. Ext. W-7 is certificate by the management for his working. Exts. W-8 and W-9 are also same things by different Branch Manager of the Bank. Ext.W-11 is letter by the concerned workman which is admitted by the management's witness and he has given this letter that he was offered employment only for six months for the post of messenger, though he was terminated from service from 1-1-94 and he wants that he be reinstated in service from 1-1-1994.

9. The concerned referred (2009) I Supreme Court Cases (L&S) 55 in which the Hon'ble Supreme Court laid down—

"Industrial Disputes Act, 1947 - Ss. 25-F, 2(s) and 25-B-Reinstatement/Back wages/Arrears - Part-time workman—Termination without complying with requirements of S. 25-F - Entitlement of part-time

employee informed orally of termination—Trial Court held respondent was not 'workman'—High court ordering reinstatement of workman with full back wages : holding workman was wrongly terminated ignoring the procedure for retrenchment under S.25-F, matter of regularisation to be considered by employer—sustainability—Held, High Court's view is correct that the workman had been working virtually on a full-time basis till 5 p.m. and had worked continuously for more than 3 years—Question as to whether a part-time workman would be covered within the definition in S.2(s) of the Act and whether he would be entitled to the benefit of continuous service under S. 25-B and the benefit of S. 25-F, answered in favour of the respondent workman."

10. Considering the facts and circumstances I come to the conclusion that the action of the management of State Bank of India, Satna in terminating the services of Shri Raju Kumar from the post of Sweeper is not justified. Hence, he is entitled to be re-instated in service with 50% back wages with other benefits from the date of his termination i.e. 1-6-74 till his reinstatement and regularisation in permanent service. The management is directed to implement the award within 30 days from the date of publication of this Award.

This is my Award.

H. M. SINGH, Presiding Officer

नई दिल्ली, 20 जनवरी, 2011

का.आ. 514.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बिलासपुर रायपुर क्षेत्रीय ग्रामीण बैंक के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या 189/95) को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-1-2011 को प्राप्त हुआ था।

[सं. एल-12012/161/94-आई आर (बी-1)]
रमेश सिंह, डेस्क अधिकारी

New Delhi, the 20th January, 2011

S.O. 514.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No 189/95) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bilaspur Raipur Kshetriya Gramin Bank and their workmen, received by the Central Government on 17-1-2011.

[No. L-12012/161/94-IR (B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/189/95

Presiding Officer : SHRI MOHD. SHAKIR HASAN

Shri Ashok Kumar Yadav,
Post Nipania Block Bhatapara,
Distt. Raipur (Chhattisgarh) ...Workman/Union

Versus

The Chairman,
Bilaspur Raipur Kshetriya Gramin Bank,
Dayalbandh, Distt. Bilaspur ...Management

AWARD

Passed on this 4th day of January, 2011

1. The Government of India, Ministry of Labour vide its Notification No. L-12012/161/94-IR(B-III) dated 30-10-95 has referred the following dispute for adjudication by this Tribunal :—

"Whether the action of the management of Bilaspur Raipur Kshetriya Gramin Bank in relation to their Nipania Branch in terminating the services of Shri Ashok Kumar Yadav, Part-time daily rated sweeper-cum-waterman w.e.f. 1-7-1993 is lawful and justified? If not to what relief the workman concerned is entitled to?"

2. The case of the workman in short is that he was appointed orally on 6-5-88 as Messenger and worked till 11-10-92 when he was orally terminated from the service. Again he was appointed orally on 6-4-93 and worked till 7-11-93 and again he was terminated. It is stated that he was also working as a clerk. His termination was illegal and there was existing vacancy. It is submitted that the workman be reinstated with back wages.

3. The management appeared and filed Written Statement in the reference case. The case of the management, inter alia, is that the workman was engaged as temporary part-time daily rated employee for cleaning the office premises. He worked from 6-5-88 to 30-6-93 intermittently on exigency of work. He had not worked 240 days in a calendar year. The provision of Section 25-F of the Industrial Disputes Act, 1947 (in short Act) is not applicable. He had worked 72 days in a calendar year. It is submitted that he is not entitled to any relief.

4. On the basis of the pleadings of both the parties, the following issues are formulated—

- I. Whether the workman was part-time daily rated sweeper-cum-waterman?
- II. Whether the action of the management in terminating the services of the workman is justified and lawful?

III. To what relief the workman is entitled?

5. After filing statement of claim, the workman did not file his evidence. As such the then Tribunal proceeded the reference, ex parte against the workman on 1-9-2005.

6. Issue No. I and II

According to the management, the workman was engaged intermittently and had worked less than 240 days in a calendar year. The management has not examined any witness in the case. However the management has filed certain photocopies of vouchers which are marked as Exhibit M/I-A to M/I-K. These vouchers are admitted by the workman. These vouchers are filed to show that the workman was engaged as daily rated employee on exigency of work intermittently. These vouchers show that he had not worked 240 days in a calendar year specially twelve calendar months preceding the date of reference. It is clear that the provision of Section 25-F of the Act is not applicable. Thus it is established that he was daily rated employee intermittently and the action of the management is justified. Accordingly both the issues are decided in favour of the management and against the workman.

7. Issue No. III

On the basis of the discussion made above, the workman is not entitled to any relief. The reference is accordingly answered.

8. In the result, the award is passed without any costs.

9. Let the copies of the award be sent to the Government of India, Ministry of Labour and Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 20 जनवरी, 2011

का.आ. 515.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मध्य रेलवे के प्रबंधितंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निरिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या 73/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-1-2011 को प्राप्त हुआ था।

[सं. एल-41012/255/95-आई आर (बी-I)]
रमेश सिंह, डेस्क अधिकारी

New Delhi, the 20th January, 2011

S.O. 515.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No 73/97) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the

management of Central Railway and their workmen, received by the Central Government on 17-1-2011.

[No. L-41012/255/95-IR (B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR**

No. CGIT/LC/R/73/97

Presiding Officer : SHRI MOHD. SHAKIR HASAN

The President,
Rashtriya Chaturth Shreni Rail Mazdoor
Congress (INTUC), 4, Hirapura,
Nagra, Jhansi ...Workman/Union

Versus

Dy. Chief Engineer (Construction),
Central Railway,
Gwalior (MP)

The Divisional Railway Manager,
Central Railway, Jhansi ...Management

AWARD

Passed on this 5th day of January, 2011

1. The Government of India, Ministry of Labour vide its Notification No. L-41012/255/95-IR(B-I) dated 5-3-97 has referred the following dispute for adjudication this Tribunal :—

“Whether the action of the management of Central Railway, Gwalior in terminating the services of Shri Pramod Kumar S/o Shri Ram Sahay w.e.f. 21-10-86 is justified? If not to what relief the workman is entitled?”

2. The case of the Union/Workman in short is that the workman Shri Pramod Kumar was appointed as casual labour on 3-6-82 under I.O.W. (Construction), Jhansi and worked continuous and attained the temporary status. He worked till 20-10-86 under I.O.W. (construction) Guna when his service was terminated without any reason. The Union raised the issue for reinstatement with back wages and gave a call of strike on 1-10-95. The workman was again re-employed as casual labour and worked till 20-10-96 under A.E.N. (C), Guna and again he was terminated thereafter. It is alleged that no disciplinary action was taken by the management, no charge-sheet was given and no order of termination was served. He was in continuous service under the provision of Section 25-B of the Industrial Disputes Act, 1947 (in short the Act) and his termination is amount to retrenchment. It is alleged that he was retrenched without complying the provision of Section 25-F of the Act. His termination is illegal and he is entitled to be reinstated with full back wages.

3. The management appeared and filed reply of the statement of claim by way of written statement to contest

the reference. The case of the management, inter alia, is that admittedly the workman was appointed and worked up to 20-10-1986 under I.O.W(C), Guna. It is stated that temporary status is not given automatically on completion of 120 days continuous service rather verified service card was also necessary for granting temporary status. It is stated that Service Book No. 260281 was not produced even after making demand and therefore the workman was terminated by the Asstt. Engineer (Construction), Guna vide letter No. AGN/C/Guna/Labour/76 dated 20-10-1986 and the same was personally received by the workman. No departmental enquiry was necessary because the workman had not attained temporary status. The provision of the Act is simply denied by the management. It is submitted that the workman is not entitled to any relief.

4. On the basis of the pleadings of the parties, the following issues are framed—

- I. Whether the workman had attained the temporary status by virtue of completion of continuous service of 120 days.
- II. Whether the provision of the Act is applicable?
- III. Whether the termination of the workman by the management w.e.f. 21-10-86 is justified?
- IV. To what relief, the workman is entitled?

5. Issue No. I

It is an admitted fact that the workman was appointed by the management and worked till 20-10-1986. Now the question is as to whether the workman worked continuously or intermittently. The workman has adduced oral and documentary evidence. The workman has stated in his evidence that he was appointed on 18-6-81 at Mahoba under P.W.I. and was transferred to Jhansi and worked there from 3-6-82 for three and half years. From there he was transferred to Mathura. He has stated that he was further engaged from 19-10-95 to 20-10-96. Thereafter he was again terminated. He has stated that his service card was with the Jhansi workshop and certified copy of Service Card was deposited by him. His evidence shows that he worked continuously. The workman has filed a certificate which appears to have been issued by I.O.W(C) "G" Jhansi. This certificate is admitted by the management. This certificate shows that he was transferred from Mahoba to Jhansi and he worked there from 3-6-1982 to 3-6-1985. Thereafter he was transferred to Mathura. This certificate further shows that Service Card No. 26028 was issued from Mohaba. There is nothing on record to show that there is no such service card and the said number of service card was issued to different person. This document corroborates the oral evidence of the workman. Moreover it is an admitted document.

6. On the other hand, the management has also adduced oral and documentary evidence. The management witness Shri O.P. Saxena is Office Superintendent in the office of Deputy Chief Engineer. He has admitted that the workman was appointed and worked up to 21-10-1986. He has proved Serial No. 128 of Page No. 68 of the L.T.I. Register. He has stated that it is maintained at the time of engagement of the workman. The said entry is marked as Exhibit M/3. The said entry clearly shows that he worked as Jhansi from 3-6-82 to 3-6-85. Thereafter he was transferred to Mathura. The said Register further shows that Service Book No. 260281 was issued to him by P.W.I. C.Railway, Mahaba. This register establishes the case of the workman that he worked continuously and service card was issued. His evidence shows that he was terminated because Service Card was not produced by him. However this register proves that Service Card was issued. This witness has also proved the statement showing service particulars from 19-10-85 to 20-10-86. This is marked as Exhibit M/2. This statement clearly shows that he had worked more than 360 days continuously. Thus it is clear that he had fulfilled the requirement to obtain temporary status. Accordingly this issue is decided in favour of the workman and against the management.

7. Issue Nos. II and III

On the basis of discussion made above, it is clear that the workman had admittedly worked from 3-6-82 to 20-10-86. The documents adduced by the management and specially Exhibit M/2 shows that the workman had worked more than 240 days during a period of twelve calendar months preceding the date with reference. There is no evidence on the record to show that the management had complied the provision of section 25-F of the Act rather during argument, the Learned Counsel for the management has admitted that no compliance in view of section 25-F of the Act in the case is done by the management. There is no dispute that the provision of the Act is not applicable. As such it is evident that the termination without complying the provision of Section 25-F of the Act is unjustified and illegal. Accordingly these issues are decided in favour of the workman and against the management. The management is directed to reinstate the workman from the date of termination with full back wages. Accordingly the reference is answered.

8. In the result, the award is passed without any costs.

9. Let the copies of the award be sent to the Government of India, Ministry of Labour and Employment as per rules.

MOHD. SHAKIR HASAN, Presiding Officer

नई दिल्ली, 20 जनवरी, 2011

का. आ. 516.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कोलकाता के पंचाट (संदर्भ संख्या 46/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-1-2011 को प्राप्त हुआ था।

[सं. एल-12012/319/2000-आई आर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 20th January, 2011

S. O. 516.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 46/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Kolkata as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, received by the Central Government on 18-1-2011.

[No. L-12012/319/2000-IR(B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT KOLKATA

Reference No. 46 of 2000

PARTIES: Employers in relation to the management of State Bank of India, Siliguri

AND

Their workmen

PRESENT: Mr. Justice Manik Mohan Sarkar,
Presiding Officer

APPEARANCE:

On behalf of the Management : Mr. G. Brahma, Advocate.

On behalf of the Workmen : None.

State: West Bengal

Industry: Banking

Dated : 12th January, 2011

AWARD

By Order No. L-12012/319/2000-IR(B-I) dated 7-11-2000 the Government of India, Ministry of Labour in exercise of its powers under Section 10(1)(d) and (2A) of the industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of State Bank of India in terminating the services of Shri Krishna Chandra Chowdhury, Assistant (C&A) w. e. f. 14-10-1998 by way of removing him from service is just, fair and reasonable? If not, to what relief the concerned workman is entitled?"

2. Earlier this reference was dealt with by this Tribunal as the validity of domestic enquiry was questioned by the workmen union and a detail hearing on the same was made by this Tribunal and the validity point was disposed of by an order dated 1st January, 2008 by my learned predecessor holding the domestic enquiry as legal and valid and thereafter the present reference was posted for hearing the parties on the adequacy of punishment imposed upon the workman concerned by the management by way of removal from service on the basis of the report of the Enquiry Officer of the domestic enquiry.

3. On my resuming charge of this Tribunal fresh notice was issued to the respective parties for causing their appearance and place their respective argument over the adequacy of punishment. Though no service report was received by the Tribunal in respect of the notice issued under registered post to the management Bank, but appearance on its behalf was made by the Learned Advocate representing the Bank on the date fixed for its appearance. Unfortunately, the workmen union did not respond to the said notice also sent under registered post to the office of the workmen union which was duly served upon the office bearer of the said union as per endorsement made thereto in the acknowledgment card received back.

4. Having no way, the present hearing of argument on the adequacy of punishment was taken up in presence of the management Bank only as on repeated occasions the workmen union did not make any appearance even after two dates were deferred after service of the notice.

5. In course of his submission, Mr. G. Brahma, Ld. Advocate for the management submitted that the charge sheet upon which the domestic enquiry was started, conducted and concluded against the workman, was in respect of some grave misconduct on the part of the workman concerned as per memorandum of settlement dated 10th April, 2002 in between the management Bank and different workmen associations and unions. Mr. Brahma specially made stress upon the "gross misconduct" as stated in sub-clause (d) and (j) of Clause 5 of the said memorandum of settlement. Therein it has been stated in sub-clause (d) willful damage or attempt to cause damage to the property of the bank or any of its customers and sub-clause (j) doing any act prejudicial to the interest of the bank or gross negligence or negligence involving or likely to involve the bank in serious loss. In the charge sheet specific allegations were made against the workman concerned that he had misappropriated the money deposited by difference customers in their respective accounts without crediting the said amount in the respective accounts and concerned ledger and putting the money in the custody of the Bank. He further submitted that the said act in the charge sheet against the workman is in the nature of gross misconduct as stated earlier in reference to sub-clause (d) and (j) of Clause 5 of the memorandum of settlement. In respect of punishment for

such gross misconduct in Clause 6 of the said memorandum of settlement, dismissal without notice has been prescribed among other provisions of punishment of removal from service, compulsory retirement, discharge from service etc. In the present case the workman concerned was removed from service by a letter of removal dated 26th September, 1998 issued by the Assistant General Manager, Region-I of the Zonal Office, Siliguri of the Bank and the said removal was made with superannuation benefit as would be due to the workman concerned and without disqualification from future employment in terms of Paragraph 521(5)(b) of Sastry Award.

6. Mr. Brahma, Ld. Advocate for the management Bank referred the decision in AIR 1965 SC 917 (M/s. Hind Construction and Engineering Co. Ltd. v. Their workmen) wherein the Hon'ble Supreme Court held :

"..... the award of punishment for misconduct under the Standing Orders, if any, is a matter for the management to decide and if there is any justification for punishment imposed the Tribunal should not interfere. The Tribunal is not required to consider the propriety or adequacy of the punishment or whether it is excessive or too severe. But where the punishment is shockingly disproportionate, regard being had to the particular conduct and the past record or is such, as no reasonable employer would ever impose in like circumstances, the punishment as itself showing victimization or unfair labour practice."

7. In respect of re-assessment of the evidence of the parties in respect of the allegations made by the management against the workman concerned, Mr. Brahma further relied upon another decision reported in 2006(6) Supreme 245 (State Bank of India & Ors. v. Ramesh Dinkar Punde) In the said decision the Hon'ble Apex Court held :

"..... the Tribunal while exercising judicial review do not act as an appellate authority. Its jurisdiction is circumscribed and confined to correct errors of law or procedural error, if any, resulting in manifest miscarriage of justice or violation of principles of natural justice. Judicial review is not akin to adjudication on merit by re-appreciating the evidence as an Appellate Authority."

The Hon'ble Court further held :

"It is impermissible for the High Court to re-appreciate the evidence which had been considered by the Inquiry Officer, Disciplinary Authority and the Appellate Authority."

It is further held by the Hon'ble Court :

"We are, therefore, clearly of the view that the High Court was erred both in law and on facts in interfering with the findings of the Inquiry Officer, the Disciplinary Authority and the Appellate Authority

by acting as a court of appeal and re-appreciating the evidence."

8. It is fact that the workman concerned or the authorized representative of the workmen union did not appear and showed reluctance on different dates by remaining absent persistently, for the ends of justice, the Tribunal should act in a neutral way to see whether actually any disproportionality was administered upon the workman concerned by the disciplinary authority on the basis of the report of the Enquiry Officer in a domestic enquiry. Admittedly the workman was served with a chargesheet giving different acts of misconduct and a domestic enquiry was done thereto by an Enquiry Officer appointed by the disciplinary authority and subsequently the Enquiry Officer, after conducting and concluding the enquiry proceeding submitted a report to the disciplinary authority against the workman concerned. Acting upon the said report, the disciplinary authority subsequently removed the workman concerned from service after giving him an opportunity to be heard on the point of punishment. Though the workman concerned put objection against the validity of the domestic enquiry, as already discussed in the previous paragraph, this Tribunal made a preliminary hearing on such validity point and on conclusion of hearing both the parties and consideration of their respective evidence, it was held by this Tribunal that the domestic enquiry was valid and legal. The said order of this Tribunal was not challenged by the workman before a superior authority and thereupon the said finding of this Tribunal became final on the validity point. As already observed, recapitulation of the evidence adduced by the parties before the Enquiry Officer is forbidden before this Tribunal as such a view has been given by the Hon'ble Apex Court in the referred decisions in the previous paragraph.

9. I have also perused the memorandum of settlement and provision therein in respect of gross misconduct in Clause 5 thereto and also the punishment prescribed in clause 6 of the said settlement. Though the Standing Orders of the Bank is not forthcoming the memorandum of settlement has been stated as the guiding principle of the relation in between the management Bank and its workmen, the provision of memorandum of settlement arrived at on participation of both the sides, will act as a guiding principle and interference from the side of the Tribunal should not be made if there is no allegation of grave miscarriage of justice.

10. In the circumstances, I am of the view that the disciplinary authority of the management Bank made no mistake in awarding the punishment of removal of the workman concerned and I do not find any disproportionality or inadequacy in the said punishment.

11. Therefore, I find that the action of the management of State Bank of India in terminating the services of Shri Krishna Chandra Chowdhury, Assistant (C&A) with effect from 14-10-1998 by way of removing him from service is

justified, fair and reasonable. In consequence the workman concerned is not entitled to any relief.

JUSTICE MANIK MOHAN SARKAR, Presiding Officer
Dated, Kolkata, 12th January, 2011.

नई दिल्ली, 21 जनवरी, 2011

का. आ. 517.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार स्टेट बैंक ऑफ सौराष्ट्र के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/प्रम न्यायालय-2, मुम्बई के पंचाट (संदर्भ संख्या 18/2007) को प्रकल्पित करती है, जो केन्द्रीय सरकार को 19-1-2011 को प्राप्त हुआ था।

[सं. एल-12012/181/2006-आई आर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 21st January, 2011

S. O. 517.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.18/2007) of the Central Government Industrial Tribunal-cum-Labour Court-2, Mumbai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of Saurashtra and their workmen, received by the Central Government on 19-1-2011.

[No. L-12012/181/2006-IR(B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL

Tribunal No. 2, Mumbai

PRESENT

K. B. KATAKE, Presiding Officer

REFERENCE NO. CGIT-2/18 of 2007

EMPLOYERS IN RELATION TO THE MANAGEMENT
OF

STATE BANK OF SAURASHTRA
NOW : STATE BANK OF INDIA

The Deputy General Manager
State Bank of India, Zonal Office
Jeevan Seva LIC Building
Santacruz (W)
Mumbai-400 055.

AND

THEIR WORKMEN

The Vice President
Nhava Sheva Port &
General Workers' Union
Port Trust kamgar Sadan,
2nd floor
Nawab Tank Road, Mazgaon
Mumbai-400 010.

APPEARANCES:

For The Employer : Mr. M. G. Nadkarni,
Advocate.

For The Workman : Mr. J. H. Sawant,
Representative.

Mumbai, dated the 21st December 2010.

AWARD

The Government of India, Ministry of Labour & Employment by its Order No. L-12012/181/2006-IR (B-I), dated 13-3-2007 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2 (A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following industrial dispute to this Tribunal for adjudication:

"Whether the demand of Smt. Sonabai Rejendra Ingale is justified in claiming permanency in the services of State Bank of Saurashtra? If so, then what relief the workman is entitled?"

2. The second party worker has filed her statement of claim at Ex-5. According to the second party worker, she was employed by first party w.e.f. 16-4-2000 as a Sweeper for cleaning and sweeping work in the branch of first party at Vashi. The first party used to pay wages for her work. All the documents in that respect are in possession of the first party. In addition to cleaning and sweeping work, the workman was also attending the work attached to the post of sub-ordinate staff (full time Peon) from the year 2005. The first party used to pay wages.

3. According to the second party, the first party, the Chief Manager, Atul Shah refused the second party to allow her to work. It was in contravention to Section 33 of Industrial Disputes Act, 1947 and in violation of principles of natural justice. The conciliation proceeding was moved. However during conciliation proceeding, the first party removed the second party and engaged some other worker. The conciliation proceeding failed and the matter was referred to Government of India, Ministry of Labour. The Ministry has sent the reference to this Tribunal to pass award.

4. The first party filed its written statement at Ex-6 & 9. According to them, the second party has sought for permanency in the service which cannot be granted. The second party workman was a casual worker. According to them, second party workman was never appointed as full time Peon. She was a casual worker engaged for casual labour on daily wages and wages were paid to her. Therefore neither she can claim continuation of service, nor she can claim permanency, therefore the first party prays that the reference be rejected.

5. My Learned Predecessor has framed the following issues at Ex-14.

Issues

- (i) Whether the second party workman can be made permanent in the establishment of first party?
- (ii) If yes, what relief second party is entitled to?
- (iii) What order?

6. After framing of the issues, the reference was kept for filing list of documents and affidavit of the second party. However instead of leading evidence and filing affidavit, the learned advocate for the second party filed purshis at Ex-17 and requested to dispose of the reference for want of prosecution. The other side i.e. the first party has no objection to dispose of the reference. As the second party does not want to pursue the case and filed purshis at Ex-17, the reference deserves to be rejected. Thus I pass the following order :

ORDER

Reference stands rejected for want of prosecution.

Date : 21-12-2010

K. B. KATAKE, Presiding Officer

नई दिल्ली, 21 जनवरी, 2011

का. आ. 518.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार उत्तर पूर्व रेलवे के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचाट (संदर्भ संख्या 34/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-1-2011 को प्राप्त हुआ था।

[सं. एल-41012/157/2003-आई आर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 21st January, 2011

S.O. 518.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 34/2003) of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of N E Railway and their workman, received by the Central Government on 20-1-2011.

[No. L-41012/157/2003-IR(B-1)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE SRI RAM PARKASH, PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL;

KANPUR

Industrial Dispute No. 34 of 2003

Sri Baldeo Prasad,
S/o Sri Jagmohan, Village & Post: Pagar Lalganj
District Basti.

AND

The General Manager,
NE Railway, Gorakhpur.

AWARD

1. Central Government, MoL, New Delhi vide notification no. L-41012/157/2003-IR(B-1) dated 26-09-03 has referred the following dispute for adjudication to this tribunal.

2. Whether the action of the management of NE Railway, Gorakhpur in terminating the services of Sri Baldeo Prasad w.e.f. 16-07-89, is legal and justified? If not what relief the workman is entitled?

3. Brief facts are-

4. It is an admitted fact that the claimant Sri Baldeo Prasad was engaged as a casual labour on 17-10-80 by NER Gorakhpur. It is also admitted fact that he worked for 577 days.

5. It is alleged that he had acquired a temporary status but opposite party had removed him on 16-7-89 without issuing any notice; therefore, it is a clear breach of the provisions of I. D. Act. It is also stated that he had filed one ID Case No. 71 of 96 along with other labours which was pending before CGIT Kanpur, but the learned P.O. without deciding the case returned the said dispute to the MoL New Delhi. Thereafter he moved an application before MoL, New Delhi, wherein they permitted to raise the matter again then he again raised the matter, before the ALC and thereafter this matter was referred to this tribunal. It is stated that order passed by the management regarding his termination is illegal and he be reinstated with all consequential benefits.

6. As stated above, opposite party admitted his engagement for the post of casual labour but stated that the work for which the claimant was engaged was not of permanent nature. He was engaged for a specific work and for a specific period till the continuation of conversion of meter gauge into the broad gauge which was not of a permanent nature. It is alleged by them that one month's pay of Rs. 440.82 paisa were paid to the claimant in lieu of notice. The payment was made through letter no. 165/ PI(Construction) dated 1-5-82 which is being annexed as R.1. It is stated by them that this petition is not maintainable as the petitioner's previous petition ID No. 71 of 96 has already been decided by this Tribunal. Petition is liable to be dismissed. The principle of estoppels and res-judicata are fully applicable. It is stated that opposite party has neither violated the principle of natural justice nor adopted any unfair labour practice. Notice pay was paid to the claimant as per rule. It is stated that he was engaged on project work, on completion of project work the services of the workman came to an end automatically. The claimant was under the opposite party up to 15-5-82. On 1-7-89, the claimant was working under P.W.I Garara which now comes within East Central Railway Hazipur. It is also alleged that the claim petition is liable to be rejected.

7. Both the parties have adduced documentary evidence in support of their claim.

8. Claimant has adduced himself in oral evidence as W.W.I Sri Baldeo Prasad.

9. Opposite party has not adduced any oral evidence.

10. At the time of arguments none was present. Case being very old I perused the file thoroughly. My findings are given below-

11. The only short point is to be decided in this case is whether the claimant had worked for 240 days or more in a calendar year preceding the date of termination. It is alleged that his date of termination is 16-07-89. Now it is to be seen whether he had worked for 240 days in the preceding one year with effect from 16-07-89. I have gone through the, evidence adduced by the claimant documentary as well as oral. He had stated on oath that he was engaged on 17-10-80 and worked till 15-05-82, thereafter he was again engaged on 16-2-85 and worked till 16-05-85. He again stated that he was again engaged on 08-04-89 till 16-07-89 but he stated that he worked under PWI Garahara. This is also the contention of the opposite party that the claimant had worked under PWI Garahara which is not a party in this case. He has filed record of service of casual labour, which is on the file. I have gone through it. This also speaks like W.W.I. Even if I take the statement and record on the face of it, even then right from 8-4-89 to 16-07-89 he had worked only for 100 days and neither for 120 days nor 240 days.

12. It is also the contention of the opposite party when claimant was working under them, he was not working in a permanent nature of work, and the work was not of a permanent nature. He was engaged for a project work, when the project work was completed his services were not required, so there was no question of his termination from the service. It is also stated and they have filed one paper Anhuxure R-1 along with written statement stating that they had given on month's pay Rs. 440.82 paisa on 15-5-82 to the claimant. Claimant has not filed any rejoinder against this.

13. Considering the facts burden lies on the workman to prove that he had worked for 240 days or more in one calendar year preceding the date of his termination. But from the evidence he has not been able to prove this fact in his favour. I have gone through the file of I.D. 71 of 96. Claimant is not entitled to seek any relief from this case also.

14. Therefore, the claim is decided against the claimant.

RAM PARKASH, Presiding Officer

ई दिल्ली, 24 जनवरी, 2011

का. आ. 519.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन ओवरसीज बैंक के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार

औद्योगिक अधिकरण/श्रम न्यायालय, चेन्नई के पंचाट (संदर्भ संख्या 15/2010) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-1-2011 को प्राप्त हुआ था।

[सं. एल-12012/10/2010-आई आर (बी-II)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 24th January, 2011

S.O. 519.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.15/2010) of the Central Government Industrial Tribunal-Labour Court, Chennai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Overseas Bank and their workman, which was received by the Central Government on 18-1-2011.

[No. L-12012/10/2010-IR(B-II)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL

TRIBUNAL-CUM-LABOUR COURT CHENNAI

Thursday, the 13th January, 2011

Present : A.N. JANARDANAN

Presiding Officer

INDUSTRIAL DISPUTE No. 15/2010

(In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2 (A) of Section 10 of the Industrial Disputes Act, 1947(14 of 1947), between the Management of Indian Overseas Bank and their Workman)

BETWEEN

Sri S. B. Gunasekaran : 1st Party/Petitioner
Vs.

The Chairman and Managing : 2nd party/Respondent
Director Indian Overseas Bank

763, Anna Salai

Chennai-600002

APPEARANCE:

For the 1st Party/Petitioner : Sri G. Mathivanan,
Advocate

For the 2nd Party/Management: M/s T.S. Gopalan &
Co., Advocates

AWARD

The Central Government, Ministry of Labour vide its Order No. L-12012/10/2010-IR (B-II) dated 23-4-2010 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is :

"Whether the action of the management of Indian Overseas Bank in stopping the services of Sri S.B. Gunasekaran, Jewel Appraiser is legal and justified? What relief the concerned workman is entitled to?"

2. After the receipt of Industrial Dispute, this Tribunal has numbered it as ID 15/2010 and issued notices to both sides. Both sides entered appearance through their respective counsel and filed their Claim and Counter Statement as the case may be. When the case stood for further proceedings and enquiry from time to time the petitioner stood not represented or was also not present consistently. When the matter came up on 12-01-2011 the petitioner is set ex-parte.

3. Claim Statement contentions briefly read as follows :

The petitioner was appointed Jewel Appraiser at the Regional Office of the Respondent at Coimbatore on 31-3-1984. He worked throughout the year with time schedule as that of any other bank employee with retirement age fixed as 58 years by the bank. His job is permanent and he worked continuously exceeding 240 days in 1 year and 480 days in 2 calendar years without break. Through All Indian Overseas Bank Employees Union of which he is a member demand was raised for confirming his post. With oblique motives he was denied work from 1-9-2006 without any reason or any show cause notice issued to him or followed by any domestic enquiry ignoring the principles of natural justice and labour laws. Legal notice sent to the Respondent was in vain answered with a bald reply. ID was raised failing which the reference is made. Hence the claim for reinstatement with all benefits.

4. Counter Statement contentions briefly are as follows :

The Jewel Appraisers are freelancers and they are not employees. The Supreme Court has held that Jewel Appraisers are not employees of the Respondent/Bank in the decision reported in 2006-2-LLN-511. In the light of detection of spurious jewels appraised by the Jewel Appraiser in respect of Loan Account No. 120400084 disbursed on 3-2-2004 for Rs. 1.10 lakhs the petitioner thereafter was not assigned any work. Thus his engagement was stopped. The non-engagement of petitioner was for a valid reason not open to challenge. There is no qualification for enlisting a Jewel Appraiser. He is not subject to any supervision or control by the bank. He is free to carry on any avocation. There was no guaranteed payment of commission. He is not an employee of the bank. He is not entitled to any relief.

5. Points for consideration are:

- (i) Whether the stopping of services of the petitioner as Jewel Appraiser is legal and justified?

(ii) To what relief the concerned workman is entitled?

6. Petitioner being absent and set ex-parte no evidence is adduced.

Points (i) & (ii)

Pleadings, perse, do not constitute evidence. Despite the contentions of the Respondent/Bank keenly denying the claims or allegations of the petitioner in order to succeed, if he is entitled to that, it is for him to place before this Tribunal sufficient materials by way of evidence to the satisfaction of the Court to substantiate his claim, which has not been done. Therefore, he is bound to fail. His cessation of services is only to be held just and legal.

7. The reference is answered accordingly.

(Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 13th January, 2011)

A. N. JANARDANAN, Presiding Officer

Witnesses Examined:

For the 1st Party/Petitioner	: None
------------------------------	--------

For the 2nd Party/Management	: None
------------------------------	--------

Documents Marked:

From the Petitioner's side

Ex.No.	Date	Description
	Nil	

From the Management side:

Ex.No.	Date	Description
	Nil	

नई दिल्ली, 24 जनवरी, 2011

का. आ. 520.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दिल्ली डेवलपमेंट ऑथोरिटी के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. I, नई दिल्ली के पंचाट (संदर्भ संख्या 37/2010) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-1-2011 को प्राप्त हुआ था।

[सं. एल-42012/19/2007-आई आर (डी.यू.)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 24th January, 2011

S. O. 520.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 37/2010) of the Central Government Industrial Tribunal -cum-Labour Court No. I, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to

the management of Delhi Development Authority and their workmen, which was received by the Central Government on 24-1-2011.

[No. L-42012/19/2007-IR(DU)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE DR. R.K. YADAV, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL NO. I, KARKARDOOMA COURTS COMPLEX, DELHI

LD No 37/2010

Shri Umesh Kumar C/o Delhi Labour Union,
Aggarwal Bhawan, G.T. Road,
Tis Hazari, New Delhi-11 0054.Workman

Versus

The Chairman.

Delhi Development Authority,
Vikas Sadan, I. N.A Market,
New Delhi.Management

AWARD

Shri Umesh Kumar forged a letter of appointment and joined as security guard on work-charged basis with Delhi Development Authority (hereinafter referred to as the Authority) on 3-1-1985. Forgery, committed by him came to light and his services were dispensed with on 26-11-99. A post decisional enquiry was initiated and Umesh Kumar was called upon to submit alleged original letter of appointment. He tendered his resignation letter on 11-12-99 and opted not to participate in the enquiry. Public notices were given to him by way of publication in "Times of India" on 27-4-2002 and "Navbharat Times" on 28-4-2002. He did not turn up to produce original appointment letter before the authorities. On the other hand, he approached Delhi Labour Union (hereinafter referred to as the Union) for redressal of his grievances. The Union sent a notice of demand to the Authority on 25-6-04, seeking reinstatement of Shri Umesh Kumar in service. When no response was received from the Authority, an industrial dispute was raised before the Conciliation Officer. The Authority insisted for production of original letter of appointment. It resulted into failure of conciliation proceedings. When failure report was submitted to the appropriate Government, it took a decision to decline reference of the dispute to an adjudicatory authority, vide its order dated 27-11-07. Writ petition being WP(C) No.1430 of 2008 was filed before High Court of Delhi. While disposing of the said writ petition, High Court of Delhi commanded the appropriate Government to re-consider the matter and to take an appropriate decision for reference of dispute to an industrial adjudicator. In consideration of missives, so given, the appropriate Government referred the disputed to this Tribunal for adjudication, vide order No. L-420 12/19/2007 -I R(DU) New Delhi, dated the 27-07-2010, with following terms of reference :

"Whether the action taken by the Executive Engineer ED-3 of Delhi Development Authority, in terminating the services of Shri Umesh Kumar S/o Shri Dharam Pal, Ex-Security Guard on work charge w.e.f. November, 1999 is just, fair and legal? If not, what relief the workman is entitled to and from which date?"

2. Claim statement was filed on behalf of the Union pleading that Shri Umesh Kumar was employed by the Authority as security guard on 1-1-85. He served the Authority to entire satisfaction of his superiors. He has unblemished and uninterrupted record of service to his credit. His services were illegally terminated on 26-11-99. He has not committed any misconduct. No memo or charge-sheet was ever served upon him. No domestic enquiry was conducted against him. Though service of the claimant were dispensed with, yet his juniors were retained in service. Action of termination of his services is violative of provisions of section 25-F of the Industrial Disputes Act, 1947 (in short the Act). The Authority has also violated the provisions of section 25-G and 25-H of the Act read with rules 76, 77 and 78 of the Industrial Disputes (Central) Rules, 1957. Reinstatement in service with continuity, full back wages and other consequential benefits have been claimed for Shri Umesh Kumar.

3. Claim was demurred by the Authority pleading that the Umesh Kumar joined its services on forged and fabricated document. His appointment was void ab initio. When forgery came to light, his services were terminated w.e.f. 26-11-99. On an enquiry on a complaint, so received, the claimant was called upon to tender his original appointment letter instead of producing his original appointment letter, he submitted his resignation on 11-12-99. Thereafter he opted to abstain away from that enquiry. Public notices were given, by way of publication in "Times of India" and "Nav Bharat Times". Despite publication of those notices, the claimant had not presented original appointment letter, on the basis of which he was appointed by the Authority. Since he sought appointment on the basis of forged document, no right ever accrued in his favour. His services were rightly terminated. No claim can be put forwarded for reinstatement with continuity of service and full back wages, asserts the Authority.

4. On pleadings of the parties following issues were settled:

1. Whether the claimant obtained services of the Authority on the basis of forged document?
2. As in terms of reference.
3. Relief.

5. In order to substantiate its stand the Authority brought Shri Mahesh Chand Singhal, Executive Engineer, in the witness box. No other witness was examined by the Authority. Claimant opted not to adduce any evidence in the matter.

6. Arguments were heard at the bar. Shri Mohd. Farrukh, authorised representative, advanced arguments on behalf of the claimant. Ms. Raavi Birbal, authorised representative, raised her submissions on behalf of the Authority. I have given my careful considerations to the arguments advanced at the bar and cautiously perused the record. My findings on issues involved in the controversy are as follows :

Issue No. 1

7. Shri Mahesh Chand Singhal swears in his affidavit Ex.MW1/A that the claimant managed to join duty with the Authority on 3-1-85, with the help of forged and fabricated document. Claimant produced photo copy of appointment letter No. E.E.IH.D-XIV/DDA/824 dated 22nd of February, 85 which is Ex.MW1/3 and managed to join his duties with the Authority. He unfolds that as per record of the Authority three appointment letters were issued on 22-2-85, which bear No.166, 167 and 168. No such letter was issued bearing No.824, as detailed in Ex.MW1/3. He declares that muster roll employees are taken on work-charged basis by the Authority, by issuance of office orders. The claimant never worked on muster roll with the Authority for a period of 240 days. A muster roll employee has to put in at least 240 days continuous service each in two consecutive years for being eligible for appointment on work-charged basis. Claimant never fulfilled qualification for appointment on work-charged basis and obtained service on the basis of forged document. During the course of his cross examination, he announces that no advertisement is given in a newspaper when security guard is employed on muster roll. No appointment letter is issued to a muster roll security guard. He projects that the Authority does not employ work-charged employee by direct recruitment.

8. When facts presented by Shri Mahesh Chander Singhal are appreciated, it came to light that the claimant has not completed 240 days service with the Authority as muster roll employee. The Authority employs muster roll employees on work-charged basis, when they complete at least 240 days continuous service in two consecutive years and possess educational and other qualifications, besides passing required test. There is no denial of the fact that the claimant had not rendered 240 days continuous service with the Authority as a muster roll employee. The claimant could not dispel that for being eligible for appointment as work-charged security guard he was to render 240 days continuous service in two consecutive years. It is evident that no such service was rendered by the claimant for being appointed as work-charged security guard.

9. Out of facts unfolded by Shri Singhal it emerge that on 22-2-85 three appointment letters were issued by the Authority being No. 166,167 and 168. An appointment letter was issued in favour of one Tula Ram being No.EE/HD/IX/DDA/8214 on 18-12-85. Ex.MW1/3 bears No.F.13(119)/85/HD-XIX/DDA/824 dated 22-2-85. As

unfolded by Shri Singhal, no letter with such particulars was ever issued in favour of any employee on 22-2-85. Consequently it is emerging over the record that letter Ex. MW1/3 is a forged document. Various opportunities were given to the claimant to produce original letter of appointment, when post decisional enquiry was conducted. As unfolded by Shri Singhal, instead of presenting original letter of appointment the claimant tendered his resignation on 11-12-99, which is Ex.MW1/8 Shri Singhal unfolds that It was so done by the claimant, since he was apprehending criminal action against him. The claimant opted not to appear in the enquiry despite notice sent to him and public notices being published in "Times of India" and "Navybharat Times" which are Ex.MW1/14 and Ex. MW1/15 respectively. Consequently, it is evident that the claimant opted not to produce original letter of appointment, despite being called upon to do so.

10. What were the reasons which persuaded the claimant not to produce original letter of appointment ? As unfolded by Shri Singhal, copy of letter of appointment produced by him was forged one. The Authority conducted an enquiry and the claimant apprehended a criminal action against him. He took a decision to tender his resignation and abstain from appearing before the authorities, when called upon to present his original appointment letter. These circumstances, besides the conduct exhibited by the claimant, highlight that letter Ex MW1/3 is a forged one. Apprehending criminal action against him, the claimant opted to abstain away from the enquiry. Therefore, these events depict that a genuine appointment letter was not in existence. No genuine document was in possession of the claimant, to produce it before the authorities. These circumstances persuaded him to remain away from the enquiry. Since no original letter of appointment was in existence, he was not in a position to produce such a document before the authorities. Considering testimony of Shri Singhal in entirety and conduct of the claimant in abstaining from enquiry proceedings as well as adjudicatory proceedings before this Tribunal. I am constrained to comment that Ex. MW1/3 is a fabricated document. Claimant obtained services with the Authority on the basis of that forged document. Issue is, therefore, answered in favour of the Authority and against the claimant.

Issue No. 2

11. Claimant has not completed 240 days of continuous service as a muster roll employee with the Authority, announced Shri Singhal. For being eligible for appointment as work-charged employee, the claimant was obliged to render 240 days continuous service in two consecutive years on muster roll. No required service was rendered by the claimant, for being eligible for appointment as work-charged security guard. He obtained employment with the Authority on the basis of forged document. viz Ex.MW1/3. He was not at all eligible but obtained job by

playing fraud on the authorities. One who is not eligible for appointment and obtains service by fraud, does not acquire a right to the post.

12. An employee who obtains employment by way of fraud can not claim protection of Article 311 of the Constitution. Article 311 of the Constitution provides safeguard to civil servants. It places two restrictions on prerogative of dismissal at pleasure, these are (1) that persons employed in civil capacities under the Union or State shall not be dismissed or removed by an authority subordinate to that by which they were appointed, and (2) no such person shall be dismissed or removed or reduced in rank except after an enquiry as provided in clause (2). Provisions of the Article 311 (2) can be available where dismissal, removal or reduction in rank is brought to be inflicted by way of punishment and not otherwise. In other words, the mandatory provisions would apply where removal, dismissal or reduction in rank is for some reason personal to the officer, example gratia, when he is guilty of misconduct or is lacking inability or capacity or will to discharge his duties as he should do. In Purshotam Lal Dhingra (AIR 1958 SC 36) the Apex Court laid down twin tests for determination if the dismissal etc. is by way of punishment (1) whether the servant has a right to the post or the rank, or (2) whether he has been visited with evil consequences.

13. A servant has a right to a post or a rank either under the terms of the contract of employment, express or implied, or under the rules governing conditions of his service. In Paryag Das Seth (AIR 1968 All. 279) the appellant was promoted to a post by mistake. When mistake was detected, it was corrected. It was ruled therein that the appellant was having no right on the post to which he was promoted.

14. In Uma Devi (2006 (4) SCC I) the Apex Court considered the proposition as to whether the persons who got employment, without following of a regular procedure or even from the back door or on daily wages can be ordered to be made permanent in their posts, to prevent regular recruitment to the posts concerned. Catena of decisions over the subject were considered and the court declined the submissions of the workmen to be made permanent on the posts which were held by them in temporary or ad-hoc capacity for a fairly long spell. The Court ruled thus :

"With respect, why should the State be allowed to depart from the normal rule and indulge in temporary employment in permanent posts? This Court, in our view, is bound to insist on the State making regular and proper recruitments, and is bound not to encourage or shut its eyes to the persistent transgression of the rules of regular recruitment. The direction to make permanent—the distinction between regularization and making permanent, was not emphasized here—can only encourage the State, the modal employer, to flout its own rules and would

confer undue benefits on a few at the cost of many waiting to compete. With respect the directions made in Piara Singh [1992(4) SCC 118] is to some extent inconsistent with the conclusion in para 45 of the said judgement therein. With great respect, it appears to us that the last of the directions clearly runs counter to the constitutional scheme of employment recognized in the earlier part of the decision. Really, it cannot be said that this decision has laid down the law that all ad-hoc, temporary or casual employees engaged without following a regular recruitment procedure should be made permanent."

15. In P.Chandra Shekhara Rao and Others [2006 (7) SCC 488] the Apex Court referred Uma Devi's Case (supra) with approval it also relied the decision in a Uma Rani [2004 (7) SCC 112] and ruled that no regularization is permissible in exercise of statutory powers conferred in Article 162 of the Constitution, if the appointments have been made in contravention of the statutory rules. In Somveer Singh [2006 (5) SCC 493] the Apex Court ruled that appointment made without following due procedure cannot be regularized. In Indian Drugs & Pharmaceuticals Ltd. [2007 (1) SCC 408] the Apex Court reiterated the law and announced that the rules of recruitment can not be relaxed and court can not direct regularization of temporary employees dehors the rules, nor can it direct continuation of service of a temporary employee (whether called a casual, ad-hoc or daily rated employee) or payment of regular salaries to them.

16. At the cost of repetition it is detailed that the claimant obtained employment with the Authority on the basis of a forged document, which is Ex.MW1/3. Since employment was obtained by him by fraudulent means, he had acquired no right to the post. Employment of the claimant, on the basis of a forged document, does not clothe him with a right to the post of security guard in work-charged establishment. Consequently 151 condition as detailed in Purshotam Lal Dhingra's case does not emerge in the present controversy. The Authority had not proceeded to impose any punishment on the claimant, on account of reasons personal to him. The Authority has not proceeded to visit the claimant with consequences, on account of any misconduct. On the other hand mistake committed in giving appointment to the claimant on the strength of the forged document was corrected. Therefore, the second standard as highlighted in Purshotam Lal Dhingra's case is also not applicable to the present controversy. Action of the Authority is just, fair and legal.

17. In view of the reasons detailed above the Authority was justified in terminating the services of Shri Umesh Kumar w.e.f. 26-11-99. Action of the Authority is fair, just and answers all standards of legality. Issue, is, therefore, answered in favour of the Authority and against the claimant.

Relief.

18. The claimant managed to get employment with the Authority by playing fraud. He used a forged document Ex.MW1/3 and joined services with the Authority on 3-1-85. When fraud came to light the Authority was constrained to dispense with his services. Such an employee does not acquire any right to post. He is not entitled for any relief. His claim is liable to be discarded, being devoid of merits. Thus claim presented by the Union/ Umesh Kumar, is brushed aside. An award is passed, accordingly. It be sent to the appropriate government for publication.

Dr. R.K. YADAV, Presiding Officer

Dated: 3-12-2010

नई दिल्ली, 24 जनवरी, 2011

का. आ. 521.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार में, कमल मुखर्जी एंड कं. (शिपिंग) प्रा. लि. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण अधिकरण/श्रम न्यायालय, कोलकाता के पंचाट (संदर्भ संख्या 04/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-1-2011 को प्राप्त हुआ था।

[सं. एल-32011/6/2008-आई आर (बी-II)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 24th January, 2011

S. O. 521.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.04/2009) of the Central Government Industrial Tribunal-cum-Labour Court, Kolkata now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s Kamal Mookherjee & CO. (Shipping) Pvt. Ltd. and their workman, received by the Central Government on 18-1-2011.

[No. L-32011/6/2008-IR(B-II)]

RAMESH SINGH, Desk Officer

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT KOLKATA****Reference No. 04 of 2009**

Parties: Employers in relation to the management of M/s. Kamal Mookherjee & Co. (Shipping) Pvt. Ltd.

AND

Their workmen

Present: Mr. Justice Manik Mohan Sarkar,

Presiding Officer

APPEARANCE:

On behalf of the Management	: Capt. Mukteshwar Singh, Chief Executive of the Company.
On behalf of the Workmen	: Mr. Amitabha Banerjee, General Secretary of the workmen union.
State: West Bengal.	Industry : Port

Dated : 22nd December, 2010.

AWARD

By Order No.L-32011/6/2008-IR(B-II) dated 16-2-2009 the Government of India, Ministry of labour in exercise of its powers under Section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication:

"Whether the action of the Managing Director of M/s. Kamal Mookherjee & Co. (Shipping) Pvt. Limited, in terminating Sri Binod Chandra Das from the service of the company w.e.f. 11-12-2006 is legal and justified? What relief the workman is entitled for?"

2. On being called today, Mr. Banerjee, the authorized representative of the workmen union has submitted that an application has been filed today stating about the expiry of the workman concerned and on his expiry, the claim does not survive and for that reason the union does not want to proceed in the present reference. The union has prayed for 'No Dispute Award' accordingly.

3. In the given circumstance, let the present reference be treated as having no industrial dispute in view of the above submission from the side of the workmen union as contained in the application filed today on behalf of the Calcutta Port & Dock Workmen Union and a 'No Dispute Award' is passed.

Justice MANIK MOHAN SARKAR, Presiding Officer

Dated, Kolkata,

The 22nd December, 2010

नई दिल्ली, 24 जनवरी, 2011

का. आ. 522.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.एस.एन. एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 308/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-1-2011 को प्राप्त हुआ था।

[सं. एल-40012/79/2004-आई आर (डीयू)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 24th January, 2011

S. O. 522.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the award (Ref. No. 308/2004) of the Central Government Industrial Tribunal-cum-Labour Court No. I, Chandigarh as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of BSNL and their workman, which was received by the Central Government on 24-1-2011.

[No. L-40012/79/2004-IR(DU)]

RAMESH SINGH, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVT.
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT-I, CHANDIGARH**

Case I. D No. 308/2004

Shri Surinder Pal S/o Shri Shiv Dayal, R/o Plot No. G-4, Opp. # No. 3335, Rajpura Town

... Applicant

Versus

The General Manager, BSNL - Telecopm, Patiala- 147001.

... Respondent

APPEARANCES

For the Workman : Shri R.C. Chaudhary

For the Management : Shri Anish Babbar

AWARD

Passed on : 4-11-2010

Government of India vide notification no. L-40012/79/2004-IR (DU), dated 10-11-2004 by exercising its powers under Section 10 of the Industrial Disputes Act, (the Act in short) has referred the following industrial dispute for adjudication to this Tribunal :—

"Whether the action of the management of Telecom (BSNL) in terminating the services of Shri Surinder Pal Ex-T-Man w.e.f. 10-5-2002 without complying with the provisions of the ID Act is just and legal? If not, to what relief the concerned workman is entitled and from which date?"

After receiving the reference parties appeared and filed their respective pleadings. The case of the workman in nut shell is that he was appointed as Telegraph Messenger on daily wages/casual labour w.e.f. 16-8-1996. He was getting Rs. 50 per day as wages. He has worked with the management of telecommunication from August 1997 to 2001 without any break. Under the provisions of circular letter no. 269-94/98-STN-II, dated 29-9-2000, issued by the Department of Telegram Service, Sanchar Bhawan, New Delhi regarding the regularization of service of causal worker, he preferred a writ petition before Hon'ble the High

Court for regularization of his services. During the pendency of this writ petition, the service of workman were orally terminated. This fact was brought to the notice of Hon'ble High Court of Punjab & Haryana and Hon'ble High Court of Punjab & Haryana was kind enough to direct the management to provide with the termination letter to the workman but same was not provided with to the workman. As the services of the workman were terminated, Hon'ble the High Court also disposed off the writ petition with liberty to the workman to raise the industrial dispute before the appropriate Court or Forum.

It is also the contention of the workman that he has worked for more than 240 days in every calendar year including the preceding year from the date of his termination. No notice or one month wages in lieu of notice and terminal dues were paid before the termination of his services. This makes his termination bad, void and illegal being against the provisions of the Act. The workman has requested for reinstatement to the service, along with all benefits.

The management appeared and opposed the claim of the workman by filing written statement. It is contended by the management that there has been no employer and employee relationship between the workman and the management as the services of the workman were provided with to the management through a contractor. Rest of the facts regarding the filing of writ petition and the order passed by High Court are admitted. This fact is also denied that service of the workman were terminated because of the writ petition filed by the workman.

Both of the parties were afforded the opportunity for adducing evidence. Affidavits were filed by both of the parties and witnesses were cross-examined. Management has not filed any document. The workman has filed certain documents which were marked as exhibits according to law.

I have heard the parties at length and perused entire materials on record. Recently Central Government through the Ministry of Law and Justice has adopted a litigation policy particularly for the litigation pending adjudication in any Court/Tribunal instituted by or against the Government departments. It is the administrative mandate of the litigation policy that there should be no litigation by the government department just for litigating. This industrial dispute is against the litigation policy adopted by the Central Government. This industrial dispute was contested by the Central Government, Department of Telecommunication just for sake of litigating by raising false and fabricated pleas barred by the Central Government litigation policy. The Central Government litigation policy barred the Government departments to raise the technical, false and fabricated pleas. Every plea taken by the telecommunication department is fabricated in this industrial dispute.

There may be arguments that litigation policy has been adopted recently and this industrial dispute is pending adjudication since 2004. The Central Government litigation policy might have been adopted at the later stage but non-existence of such policy does not give any right to the management to raise false and fabricated pleas. It amounts to fraud with the judicial proceedings.

Before discussing, other facts and evidence, I am as such producing the abstract of appointment letter given by the management to the workman.

The appointment letter reads as under :—

DEPARTMENT OF TELECOMMUNICATIONS

Office of the Officer Incharge, Memo No. 8-13/PT/38

Telegraph Office, Officer Incharge,

Rajpura-140401 Telegraph Office,

Rajpura

Dated : Rajpura :

16-8-1996

Shri Surinder Pal son of Shri Shiv Dayal is hereby appointed as T-Man Office Incharge, Rajpura w.e.f. 16-8-1996, @ Rs. 33 per day and casual per net rate were fixed vide T.D.M. P.A., Memo No. E-16/Patiala, dated 16-8-1996.

The appointment is purely on temporary basis and his service are liable to be terminated at any time without assigning any reason

Copy to:-

1. The T.D.M.P.A.

2. Shri Surinder Pal S/o Shri Shiv Dayal

Sd/-

Officer Incharge

Telegraph Office,

Rajpura-140401

The management denied that workman was appointed on causal basis or as daily waged worker and raised the false pleas without any proof that the services of the workman were provided with through a contractor. When management was asked to file the documents relating to the contractor, the witness of the management stated that no such documents are traceable. The workman has filed as more as 40 documents to prove the administrative control over him. He was appointed by the management of Telecommunication, Rajpura. He was under the administrative control of the management of telecommunication and certainly he was paid the wages by the management of telecommunication because the documents relating to attendance of the entire period marked in the office of the management of

Telecommunication, Rajpura have been filed by the workman. As stated earlier, it is not only the technical denial but the fraud with the judicial proceedings that a person was lawfully appointed by the management and has relations with the management was denied by it on the pretext that his services were provided with through contractor. I am unable to understand that original documents are lying with the management but the management on the false plea has failed to file the same deliberately to prevent the workman for exercising his lawful claim under the provisions of the Industrial Disputes Act. For all purposes, it is also the unlawful labour practice committed by the Management.

Where there is great socio-economic disparity between the parties, the Court or Tribunal should be sensitized enough to protect the interest of the deprived, so that other party may not prevail over the will of the deprived. The facts mentioned above have proved it that workman was socially and economically deprived class and the management was in a position to dominate the will and wish of the workman. The management has used his authority and has done every act to prevail over the wish and will over the workman.

To file a writ petition for regularization of the services under the provisions of any circular letter issued by the department is a right of the workman. He has exercising that right. It is well proved that services of the workman were terminated by the management orally on receiving, the notice on the writ petition. This also proves how a Central Government department, who is considered to be a role model employer, has acted against the workman. Even after the direction of Hon'ble the High Court of Punjab & Haryana no written termination order was given to the workman. It is the socio-economic conditions of the workman that he could not approach Hon'ble the High Court for contempt of Hon'ble the High Court for non-providing the written termination order.

As stated earlier, there are several documents filed by the workman to prove how and when the work was taken by the management from the workman and how was he deputed to a particular work? At the cost of the repetition, I am unable to understand that original documents are not lying with the management. The witness of the management Shri Mahavir Singh S/o Shri Makhan Lal, DE Legal BSNL, Patiala on 29-7-2010 deposed on oath that he is deposing on the basis of the records as he was not posted at the Rajpura during the period in question.

He has deposed on oath that services of the workman were taken through some contractor. The Tribunal asked the witness of the management about the documents from where he came to know that services were taken through contractor. The workman was not present in person on that day and on above account cross-examination was deferred and witness was directed to come with the records.

The cross-examination was again recorded on 31-7-2010. The witness of the management Mahavir Singh again stated on, oath that no record is available with the management. I am unable to understand if no record is available with the management how the witness came to know that services of the workman were taken by the management through some contractor. Entire Court file was available to the witness to see the documents which the workman has filed. I am unable to believe that original of these documents are not lying with the management. The management has deliberately withheld to file the documents and the witness has given the false evidence before the Court regarding the nature of services of the workman. The fact that the witness of the management, Shri Mahavir Singh, has deposed falsely on oath has been proved beyond doubt. This Tribunal as per the provisions of the Industrial Disputes Act is having the powers of the Civil Court for taking action for deposing falsely on oath. It is within the preview of this Tribunal to file the complaint in the Court of appropriate criminal jurisdiction for giving false evidence on oath. The management is guilty of committing fraud with the judicial proceedings, whereas Shri Mahavir Singh is guilty for giving false evidence before this Tribunal on oath as stated above.

Irrespective of the powers conferred on this Tribunal by the provisions of the I.D. Act, 1947, for lodging a complaint against any witness for deposing falsely on oath, it is hereby made clear that proceedings of this Tribunal runs on the basis of justice, equity and good conscious. The phrase justice, equity and good conscious gives and confers powers on this Tribunal to lodge such complaint. This Tribunal is not only responsible for adjudication of cases but is accountable to the public at large and act of witness deposing falsely on oath should not be tolerated. If it is tolerated, it will amount to facilitate the witness deposing falsely on oath which will be judicial mis-conduct against the accountability of the court toward the public at large.

No action can be taken by this Tribunal before publication of award, hence, the appropriate lawful action shall be taken by the Tribunal against the witness Shri Mahavir Singh after publication of the award by the Central Government in the Official Gazette. This action is required to ensure that Judicial Forum should keep judicial conscious, keen, open, receptive and flexible. It should not permit any party to commit fraud with the judicial proceedings.

As stated above the workman has completed 240 days of work in the preceding year from the date of his termination. His services were terminated without any notice or one month wages in lieu of the notice and without payment of retrenchment compensation. The termination was illegal and void ab initio being against the provisions of the Act. Moreover, the termination of the services also

amount to unlawful labour practice because the same were terminated on account of writ petition preferred by the workman before Hon'ble Punjab & Haryana High Court for regularization of his services.

Considering the facts and circumstances of the case the only remedy in this case is the reinstatement of the workman on the same position he was working at the time of termination. He will also be entitled for back wages (subject to the enhanced rates) and other benefits which have been available to him, if had been in service.

Considering the conduct of the management, I am also of the view that workman is also entitled for the entire cost which he has incurred as litigation expenses. This case is pending adjudication since 2004. His services were terminated in the year 2002. The workman is running from pillar to post from last 8 years. Accordingly, he will be entitled for the cost of Rs. 20,000 which he has incurred as litigation expenses. Accordingly, this reference is answered as follows:-

- (1) The witness of the management Shri Mahavir Singh is guilty for giving false evidence on oath before this Tribunal. In the body of the award it has been established and proved that he has given false evidence before this Tribunal deliberately. Accordingly, lawful action for giving false evidence on oath shall be taken against the witness Shri Mahavir Singh after publication of award in the Official Gazette of the Central Government.
- (2) For the reasons shown in the body of the award the termination of the workman from the services was illegal and void ab initio. The management is directed to reinstate the services of the workman within one month from the date of publication of award. For the reasons mentioned on in the body of the award, the management is also directed to pay all the back wages (on enhanced rates) with all the consequential benefits which the workman would have entitled if had been in services within one month from the date of publication of the award.
- (3) For the reasons mentioned in the body of the award and considering the conduct of the management the workman is also entitled for the cost of Rs. 20,000 which he has incurred as litigation expenses. The management is further directed to pay the cost within one month from the date of publication of the award.

Let Central Government be approached for publication of award, and thereafter file be place before the Tribunal for appropriate orders.

G K. SHARMA, Presiding Officer

नई दिल्ली, 24 जनवरी, 2011

कानून 523.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पी जी आई एम ई आर के प्रबंधनत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अमृतसर में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण नं. 1, चण्डीगढ़ के पंचाट (संदर्भ संख्या 84, 85, 86 तथा 87 ऑफ 2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-01-2011 को प्राप्त हुआ था।

[सं. एल-42012/52 से 55 तक/2007-आई आर (डीयू)]
रमेश सिंह, डेस्क अधिकारी

New Delhi, the 24th January, 2011

S.O. 523.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 84, 85, 86 & 87 of 2007) of the Central Government Industrial Tribunal-cum-Labour Court- No.1, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of PGIMER and their workman, which was received by the Central Government on 24-01-2011.

[No. L-42012/52 to 55/2007-IR (DU)]

RAMESH SINGH, Desk Officer

ANNEXURE

**BEFORE SHRI GYANENDRA KUMAR SHARMA,
PRESIDING OFFICER, CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL CUM-LABOUR COURT 1,
CHANDIGARH**

Cases No. ID 84, 85, 86 & 87 of 2007.

1. Avadh Naresh Pandey, House No. 1138, Sector 29-B, Chandigarh.
2. Ms. Hem Lata, Resident of House No. 350, Sector-17, Panchkulla,
3. Ms. Neeru Moudgil, House No. 3156, Sector-27 D Chandigarh
4. Vikas Kapoor, House No. 2261, Sector-66, Mohali-Punjab

APPLICANTS

VERSUS

1. Director, P.G.I. M.E.R., Sector-12, Chandigarh
Respondent

APPEARANCES

- For the workmen: Shri Ranjan Lohan
For the management: Shri N.K. Zakhmi

AWARD

Passed on 27-12-10

This award shall dispose off four industrial disputes are as follows :

ID No. 84 of 2007 : Avadh Naresh Pandey Vs. PGIMER : Reference No. L-42012/53/2007 -IR (DU) dated 22nd of October 2007.

“Whether Shri Avadh Naresh Pandey is a workman under the provisions of the Industrial Disputes Act? if yes, whether the action of the management of PGIMER, Chandigarh, in terminating his services w.e.f. 13-6-2006 is legal and justified? If not, to what relief the workman is entitled to?”

ID No. 85 of 2007 : Hem Lata Vs. PGIMER :

Reference No. L-42012/52/2007 -IR(DU) dated 22nd of October 2007.

“Whether Ms. Hem Lata is a workman under the provisions of the Industrial Disputes Act? If yes, whether the action of the management of PGIMER, Chandigarh, in terminating her services w.e.f. 13-6-2006 is legal and justified? If not, to what relief the workman is entitled to?”

ID No. 86 of 2007 : Ms. Neeru Moudgil Vs. PGIMER :

Reference No. L-42012/54/2007-IR (DU) dated 22nd of October 2007.

“Whether Ms. Neeru Moudgil is a workman under the provisions of the Industrial Disputes Act? If yes, whether the action of the management of PGIMER, Chandigarh, in terminating her services w.e.f. 13-6-2006 is legal and justified? If not, to what relief the workman is entitled to?”

ID No. 87 of 2007 : Vikas Kapoor Vs. PGIMER :

Reference No. L-42012/55/2007-IR (DU) dated 22nd of October 2007.

“Whether Shri Vikas Kapoor is a workman under the provisions of the Industrial Disputes Act? If yes, whether the action of the management of PGIMER, Chandigarh, in terminating his services w.e.f. 13-6-2006 is legal and justified? If not, to what relief the workman is entitled to?”

Common questions of law and facts are involved in all the four industrial disputes, hence, for ends of justice all these industrial disputes are hereby adjudicated and answered by this award.

These references have been referred by the Central Govt. U/s 10p of the Industrial Disputes Act 1947 (hereinafter referred to as Act.) regarding the termination of four research fellows (non-medical) by the management of PGIMER. After receiving the reference, parties were informed. Parties appeared and filed their respective pleadings.

Case of each workman in nut shall is that they were appointed by the management of PGIMER as research fellows vide appointment letter dated 9-12-1994 after all lawful formalities relating to their valid appointments. There was no complaint against any workman regarding work and conduct. Their services were terminated in the end of March 2004. All the four workmen along with other workmen challenged the order of termination before the Hon'ble High Court of Punjab & Haryana. Hon'ble High Court of Punjab & Haryana was kind enough to stay the termination order. During meantime, the management of PGI initiated the proceedings of regularisation of the workmen. Hence, on oral undertaking, the writ petition was withdrawn and accordingly dismissed. After dismissal of the writ petition, the management of PGI, terminated the service of each workman. The workman again approached the Hon'ble High Court but Hon'ble High Court dismissed the writ petition with liberty to approach the appropriate forum. It is also contended by each workman that no doubt appointment was given on year to year basis but every workman continued to work even without appointment letter up to June/July in the next financial year. Every workman has completed 240 days of work in the preceding year from the date of their termination. No notice, one month pay in lieu of notice and retrenchment compensation was paid to them before termination of their services. Their termination was unfair labour practice because even after availability of work, their services were terminated. They were given the work year to year on perennial nature of work. The workman have sought the protection of guide lines as given by the Hon'ble Apex Court in the case of V.P. Chaturvedi & others Vs. UOI JT 1991 (3) SC 525 in which security of employment and improving conditions of service of research fellows have been thoroughly discussed.

On the basis of the above facts, every workman has prayed for setting aside the termination order and reinstating them in the service with all the benefits. Every workman has further requested for an order to create substantial post of research fellows in PGI research scholar cadre formed in the year 1993 and further more to pass a suitable order for regularisation of the their services.

The management appeared and contested the claim by filing written statement. As a preliminary objection, the management has challenged the workman capacity on the ground that considering the nature of work discharged by each claimant, no one falls under the definition of workman given in the Act. It is further contended by the management that each workman was appointed for a year only on a contractual basis. His contract expired at the end of every financial year and for next financial year fresh contract under fresh scheme was executed. According to the nature of services rendered by each workman, no one is entitled for the protection under any provisions of the Act. The management decided to discontinue with the services of the workman in March 2004 but due to stay granted by the

Hon'ble High Court of Punjab & Haryana, their services were extended and on vacation of the stay order, their services were terminated because neither the scheme was available nor there were sufficient funds to carry over the scheme.

Both of the parties were afforded the opportunity of adducing evidence. Documentary evidence was filed by both of the parties at their own and as directed by this Tribunal. Oral evidence was also recorded.

I have heard the parties and their learned counsel at length. Learned counsel for the workman has stressed on the security of job of each research fellow who have served the department for 10 years plus and have become over aged for serving somewhere else. Learned counsel for the workman has relied upon the following case laws.

1. V.L. Chandra & others Vs. All India Institute of Medical Sciences and others (1990) 3 S.C. Cases 38.
2. Dr. V.P. Chaturvedi and ors. Vs. UOIJT 1991 (3) SC 525
3. S.M. Nilakarand others Vs. Telecom District Manager, Karnataka (2003) 4 SCC 27.

On the other hand, learned counsel for the management has challenged the very workman capacity of each claimant as given in the provisions of the Act. On merits, learned counsel for the management has argued that there has been no master and servant relationship between the workman and the management because their services were taken on contractual basis. Learned counsel for the management has also relied upon the following case laws :

1. Management of Chem Crown India Ltd. Madras Vs. Presiding Officer, I Addl. Labour Court Madras and another 2000-II LLJ 152.
2. S.K. Maini Vs. M/s. Carona Sahu Co. Ltd. and others 1994(3) SCT 312
3. Narmada Building Material (P) Ltd. Vs. Devassy & Another 1999-LLJ 156.
4. M.P.S. R.T.C. & Others Vs. Chakrapan Singh Dhakarh and another 2002 LLR 436.
5. State of Rajasthan Vs. Rameshwar Lal Gahlot 1996 (1) LLJ (SC) 888.
6. Om Bir Singh Vs. The management of M/s. Partap Steel Ltd. Faridabad 1997 (1) SCT 818.

I have gone through all the case laws filed and relied upon by the parties and entire materials on record.

I have dictated the oral evidence to my personal assistant on dais, so, it is not proper to reproduce each and every sentence of the evidence adduced by the parties. I am perusing the entire oral and documentary evidence and accordingly guiding my judicial conscience to dictate this award as per evidence and as per the ratio of the judgments

relied by the parties. First of all, it is to made clear whether the petitioner are workmen as per the definition of workman given in the Act. There are two criterias to determine the work and capacity of the claimants. The criterias are supervisory nature of work and the same in managerial capacity. The work discharged by each workman has been mentioned in para No. 5 of the claim petition.

On perusal of the pleadings and claim petition, I am of the view that none of the petitioner was working in management capacity nor in supervisory capacity. They were working under the supervision of the Head of Departments of PGI, a senior doctor. They were just doing the clerical work like collection of data, analysing of data as per guidelines given by their superiors and informations to the supervisors were given as per guidelines on the topic of research. Thus every petitioner is workman as per the definition given in the Act.

Before any discussion on the other matters which are important for answering these references, it will be proper to focus on the nature of work conducted by the management of PGIMER. The prime object to establish the institute was to conduct research in the medical science for better health condition of human beings. The principle object of the management of PGIMER is to conduct research on medical, bio medical and paramedical science and on other related subjects. On the basis of research conducted by the PGI, the benefits of research are given to the public by treating them. Recent example is the preparation of bile for treatment of diabetic patient and technique of transplant of heart. It was the result of wonderful research conducted by the PGI MER. A new system of injecting insulin was researched and implemented thereafter for the benefits of diabetic patients. My conscience is not allowing me to go beyond this to prevent me derailing from the scope of references. But one thing is clear that primary object of the PGI is to conduct research and to provide the treatment to public at large based on such research. While research is conducted, research fellows are the integral part of the research. This observation that research fellows are the integral part of conducting research finds favour with the decision of the PGIMER for constituting a permanent research cadre in the year 1993 in which the research fellows were the integral part of the research schemes.

Every workman was lawfully initially appointed. The name of every workman was sponsored by the employment exchange. Interview was conducted by the competent board (selection committee). After selection each workman was medically examined to confirm his suitability for conducting research as research fellows and antecedents of every workman were also verified by the police authorities.

As stated earlier, the research is the main object of the management of PGIMER, so it cannot be said that management was short of research schemes. It is also not

believable that no funds were available to the management of PGI for conducting research. Initially the management did not bother to file documents but when certain documents were asked by the workman under Right of Information Act, the same were provided. During cross-examination of the management's witness, this Tribunal also directed the management to file certain documents. On persual of all the documents and the oral evidence, I am of the firm view that research scheme were available to the management and there had been no shortage of funds for conducting research.

Surprisingly, in spite of constituting PGI research scholar cadre in the year 1993, without bothering to its own decision to establish such cadre, the appointment letters were given on yearly basis. It was w.e.f. 1st April of each financial year to 31st of March, appointment letters were issued. Surprisingly, without even issuing the appointment letters in the next financial year on 1st April, every workman continued to work up to June/July and appointment letters for the next financial year was retrospectively given w.e.f. 1st April. This fact in very much admitted by the witness of the management during cross-examination and by the learned counsel for the management during arguments. The main contention of learned counsel for the management has been the master and servant relationship between the management and the workman. As per learned counsel for the management each workman rendered the service on contract basis. To ensure the master and servant relationship, Hon'ble the Apex Court has given guidelines in the case of Steel Authority of India Ltd. and others Vs. National Union Water Workers and others AIR 2001 Supreme Court 3527 (1) and thereafter in the case of GM, ONGC Shilcher Vs. ONGC Contractual Workers Union reported in 2008 LLR 801. In both of the judicial pronouncements, Hon'ble Apex Court has laid down the criterias under which workman cannot be considered to be in the service of the management directly. If ratio of the above mentioned judgments are applied in these reference, it is clear that no workman was appointed through contractor. Their services were not outsourced by any one and there was no contractor between the workman and the management of the respondent PGI. Moreover, they were under the direct supervision of Head of Departments, who occasioned to be the head of research scheme as well. They were the employees of the PGI and no third person was present in between the workman and the management. So, there existed master servant relationship between the workman and the management of the PGI.

In my views, if the work is of perennial nature and on lawful appointed any person is discharging his duty very well, appointment cannot be split in so many parts. As same nature of work was available and it is still available with the management and the appointments of all research fellows were given on yearly basis, it is nothing but unfair labour practice to prevent the workman to lawfully exercising

the rights given under the provisions of the Act and to avoid law full duties imposed upon the management by the Act. Hon'ble the Apex Court in 2006 AIR SCW 2979, Haryana State Electronics Development Corporation Ltd. Vs. Mamni, in para No. 9 of the judgment has held as under :

"The respondent was appointed from time to time. Her services used to be terminated on expiry of 89 days on regular basis. However, it is noticed that she used to be appointed after a gap of one or two days upon completion of each term. Such as action on the part of the appellant cannot be said to be bona fide. The High Court rejected the contention raised on behalf of the appellant herein stating:

It is not possible for us to accept the aforesaid plea raised at the hands of the management on account of the fact that the factual position, which has not been disputed, reveals that the respondent -workman was repeatedly engaged on 89 days basis. It is, therefore, clear that the intention of the management was not to engage the respondent workman for a specified period, as alleged, but was to defeat the rights available to him under Section 25-F of the Act. The aforesaid practice at the hands of the petitioner-management to employ the workman repeatedly after a national break, clearly falls within the ambit and scope of unfair labour practice."

The result of the above dicussion is that giving appointment of yearly basis to a initially lawful appointed person in spite of availability of work was unfair practice. The result will be that every workman shall br considered to be in service regularly and these several appointment shall be considered as one and workman as appointed temporarily. No notice, one month pay in lieu of notice and retrenchment compensation was given to any of the workman. Even the management of PGI has not bothered for the legal advice given by the legal wing of the management. The legal advice given by the legal wing of the management was that every workman was to be considered as the temporary employee and their services could not be terminated in casual manner. Accordingly, the appointments on yearly basis, being unfair labour practice, termination of the services of every workman was illegal and void being against the provisions of the Act. One more fact has been brought to the notice of this Tribunal that PGI is not conducting research and research work has been given to a 3rd agency. It has also brought to the notice of this Tribunal that for research this third agency is headed by the head of department, who occasioned to be the senior doctor of the PGI. The staff is same which was previously available prior to so called out sourcing the research. It is just an eye wash because in spite of conducting research directly research are being conducted in the name of 3rd agency by the same person, same staff even in the same premises of the PGI. It is also an act to

prevent the workman to claim their lawful rights against the management of PGI under the provisions of the Act.

All the workman are working in the research projects now so called conducted by a 3rd agency, so there has been no pecuniary loss to any of the workman but to consider the job security and the lenght of service every workman has served with the management, I am of the view that termination order of each workman should be quashed and they should be considered as research fellows working in the PGI directly. Any act of the management which is directly related to the workman are also likely to be quashed. Accordingly the reducing or deleting the cadre of research fellows from the PGI research scholar cadre is also illegal and accordingly quashed being unfair labour practice. The cadre should remain the same as it was at the time of creating the cadre. As stated earlier, research fellow is an intergral part of research and no research can be conducted properly and purposively without the enthusiastic services of research fellows. In Dr. V.P. Chuturvedi and others Vs. UOI, the Hon'ble Apex Court has shown concern of job security of such scholars but the order of appointment issued in that case was on consensus.

So, on the basis of judgment given by the Hon'ble Apex Court, this Tribunal has no authority to direct the management to regularise the services of each workman as research fellows. Regularization of services is within the discretion of the management . But considering the job security concept and longevity of services rendered by every workman and also considering the conduct of the management dealing with these research fellows, the termination order and the order reducing/deleting the cadre vacancies of research fellows from PGI Research Scholar cadre 1993 are hereby quashed. Every workman shall be deemed and considering to be in the services of the PGI in the capacity as advised by legal wing of the management i.e. temporary employee. This Tribunal is hopeful that management of PGI will be generous in dealing with the regularization of services of each workman in the same manner as dealt with the other employees in PGI research scholar cadre. Accordingly, all the four references are answered. Central Govt. be informed. Files be consigned.

Chandigarh.

G K. SHARMA, Presiding Officer

नई दिल्ली, 25 जनवरी, 2011

का.आ. 524.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं जवाहर नवोदय विद्यालय के प्रबंधतात्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या 98/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-01-2011 को प्राप्त हुआ था।

[सं. एल-42012/191/2002-आई आर (सीएम-II)]

डॉ. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 25th January, 2011

S.O. 524.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. 98/2003) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute between the management of Jawahar Navodaya Vidyalaya and their workmen, received by the Central Government on 25-1-2011.

[No. L-42012/191/2002-IR (CM-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NAGPUR

No. 98/2003

DIARY

दिनांक	प्रदर्श सं.	प्रगति
Date	Exhibit No.	Progress
52/ 11-1-2011	Petitioner/ Party No. 1	Shri Vijay Kumar Sahu, C/o Sh. Balabir Khanuja, Advocate Gandhi Chowki, Dist. Rajnandgaon, Chattisgarh (M.P.)

Versus

Respondent/ : The Principal,
Party No. 2 Jawahar Navodaya Vidyalaya,
Badhiyatola, Po. Dongargarh,
Dist. Rajnandgaon, Chattisgarh
(M.P.).

AWARD

(Dated: 11th January, 2011)

This order arises out of the petition filed by the management for dismissal of the reference.

2. The facts necessary for disposal of the application, filed by the management can be stated as follows:

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of Jawahar Navodaya Vidyalaya and their workmen, Shri Vijay Kumar Sahu for adjudication as per letter No. L- 42012/191/2002-IR (CM-II) dated 17-2-2003, with the following schedule:—

"Whether the termination of service of Sh. Vijay Kumar Sahu, Ex-daily rated employee of Jawahar Navodaya Vidyalaya, Dongargarh, Dist. Rajnandgaon (C.G) w.e.f. 4-2-1997 by the Principal, Navodaya Vidyalaya is legal and justified? If not, to what relief the workman is entitled to?"

3. The petitioner filed the statement of claim stating that he was appointed on the vacant post of peon on 15-12-1989 by the management of Jawahar Navodaya Vidyalaya, Badhiyatola, P.O. Dongargarh, but his services was terminated orally on 4-2-1997 and he was working from 7.30 AM to 5.30 PM and the management without following the provisions of Section 25-F of the Industrial Disputes Act, 1947, terminated his service. The petitioner had prayed to reinstate him in service with continuity and full back wages.

4. The management filed the written statement stating that the petitioner was engaged for a period of 89 days at the first instance by letter of engagement dated 14-12-1989 on daily wages as a Chowkidar and after expiry of the period of engagement, the service of the petitioner was discontinued and after some days, he was again engaged at regular interval, as and when the work was available on daily wages and the petitioner was well aware of the fact that his engagement was temporary and daily wages basis and the petitioner did not work for a period of 240 days in any calendar year and the petitioner had challenged his disengagement from service, before the Hon'ble High Court of Jabalpur, Madhya Pradesh, with the prayer for quashing the order dated 4-2-1997, whereby his services were discontinued and the Hon'ble Court directed that, "if the posts are available under the school, the same be advertised and the petitioner be allowed to apply for the post and the case of the petitioner shall be considered for the posts and the age bar will not be regarded as an ineligibility and as such, the petitioner is not entitled for any relief.

5. The case of the management in the petition filed for dismissal of the reference is that the issue which has been raised by the petitioner in this reference has already been decided by the Hon'ble High Court, Jabalpur, Madhya Pradesh and the petitioner suppressed such facts in the reference and also his affidavit and the management has pleaded about the filing of the case by the petitioner, in the written statement filed by them and as the issue has already been decided by the Hon'ble Court, this reference is to be answered in negative.

6. The petitioner filed his objection stating that the management is engaging other persons on daily wages instead of engaging him (petitioner) and after his termination, one Shri Chotelal Koal was engaged on 30-9-2001 and after that on 25-6-2006, one casual labourer was engaged on daily wages in the post of Chowkidar.

It is necessary to mentioned here that in the objection also the petitioner has not whispered in a single word about for filing of Writ before the Hon'ble Court.

7. Perused the record including the claim petition, written statement, re-joinder and so also the copies of the writ petition No. 605 of 97, filed by the present petitioner before the Hon'ble High Court of Jabalpur, Madhya Pradesh and writ petition No. 4277 of 95 filed by

Shri Jeevanlal. From the copies of the writ petitions, it is found that the present petitioner had filed the writ praying for issuance of appropriate writ/direction directing the respondents i.e. the Director, Jawahar Navodaya Vidyalaya, the Deputy Director, Navodaya Vidyalaya Samiti and the Principal, Jawahar Navodaya Vidyalaya, Dongargarh to regularize his service and pay him regular pay scale and the Hon'ble High Court, while deciding the writ petitions, dissallowed the prayers of the petitioner and passed the order that, “if the posts are available under the school (if the posts are available under the school, the same to be advertised and the petitioner to be allowed to apply for the posts). Shri Namdeo submitted steps are being taken to fill up the posts, the case of the petitioners shall be considered for the posts and the age bar will not be regarded as ineligibility”.

It is found from the record and the orders passed by the Hon'ble High Court of Jabalpur that the issue involved in the present reference has already been considered and decided by the Hon'ble Court. So, it is not permissible for this Tribunal to consider the reference and to give any findings. Therefore, the reference on that ground is liable to be rejected. Hence, it is ordered.

ORDER

The application filed by the management is allowed and the reference is rejected.

In view of rejection of the reference, there is no need for consideration of the petition filed by the petitioner on 17-11-2006, the same being infructuous.

Send the order to the Central Government for notification.

J. P. CHAND, Presiding Officer

नई दिल्ली, 25 जनवरी, 2011

का.आ. 525.—ऑद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं डब्ल्यू. सी. एल. के प्रबंधतांत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ऑद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 315/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-1-2011 को प्राप्त हुआ था।

[सं. एल-22012/129/2000-आई आर (सीएम-II)]
डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 25th January, 2011

S.O. 525.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 315/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute between the employers in relation to

the management of WCL and their workmen, which was received by the Central Government on 25-1-2011.

[No. L-22012/129/2000-IR (CM-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NAGPUR

No. 315/2000

DIARY

Date	Exhibit No.	Progress
56/ 12-1-2011		The petitioner, None also appears on behalf of the petitioner. The notice sent to party no. 2 (3) is back after present service. Hence service is held to be sufficient. Inspite or sufficient service petitioner has not appeared. It appears that petitioner is not interest to proceed with the case. Hence the case is closed and posted for award to 12-1-2011.

Petitioner/Party No.1 The General Secretary, Bhartiya Koyalak Khadan Mazdoor Sangh (BMS), PO: Parasia, Distt. Chhindwara, Chhindwara.

Versus

Respondents/ : Party No. 2 The Manager, Damua Colliery, Western Coalfields Ltd. PO: Damua, Dist. Chhindwara (MP), Chhindwara.

AWARD

(Dated: 12th January, 2011)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) (“the Act” in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of the Manager, Damua Colliery, WCL and their workman, Smt. Rama Shankar through union for adjudication, as per letter No. L-22012/129/2000-IR (CM-II) dated 8/21-11-2000, with the following schedule:—

“ Whether the action of the management of Damua Colliery of WCL, PO: Damua, Distt. Chhindwara (MP) in not promoting Smt. Rama Shankar, General Mazdoor to Clerk Grade-III from 15-12-87 and Clerk Gr. -II from 28-2-96 is justified? If not, to what relief she is entitled?”

2. On receipt of the reference, the workman, Smt. Rama Shankar (here-in-after referred as “the workman”)

(corrected name has been mentioned as "Smt. Rama Shankar" in the statement of claim) and the management of Damua Colliery of WCL, Chhindwara were noticed to file their respective statement of claim and written statement, in response to which, the workman through union filed her statement of claim, whereas, the management filed their written statement.

3. The union, Bhartiya Koyal Khadan Mazdoor Sangh filed the statement of claim on behalf of the workman, pleading inter-alia that the workman was appointed as General Mazdoor Cat. I vide office order dated 20/24-1-1986 issued by the Personnel Manager, Kanhan Area and she was deputed to work as Registration Clerk at Damua Colliery Dispensary from the very date of her joining in duties and she worked there from 1986 to March, 1995 as a Clerk and the union requested the management to appoint her as a Clerk, but the management refused to concede to the demand on 10-2-1999 and as such, the union raised the cause of the workman. The union has prayed for promoting her as Clerk Grade-II.

4. The management has filed its written statement and pleaded that the claim of the union is baseless and the workman had never worked as Registration Clerk and promotion in Clerical Grade can only be done with the recommendation of the Departmental Promotion Committee, who has to consider the case of the eligible candidates for promotion either on seniority-cum-merit basis or merit-cum-seniority basis, as spelled in the cadre scheme and promotion cannot be given to any employee at the whims and fancies of the union and as such, the workman is not entitled for promotion as a Clerk.

5. It is necessary to mention here that after filing of the written statement by the management, both the parties remained absent till 29-3-2010, so the case was closed and was posted for passing award by my predecessor in office. However, as no award was passed by him, the case was reponed after my joining on 6-8-2010 and notices were issued to the parties. In response to the notice, the management appeared through its representative. The representative of the management filed an application of the workman, in which it has been mentioned that the dispute has already been resolved between the parties amicably. The management had also endorsed on the same said application praying to drop the case. However, as the workman was not present, direction was given for her appearance in person before the Tribunal on 4-1-2011. In spite of such direction, as the workman did not appear, the case was closed for award.

6. It appears from the record that there is already a settlement between the parties and the workman is not interested to proceed with the case. Hence, in this case, it is necessary to pass an order of no award. Hence, it is ordered:

ORDER

The case may be treated as "No Award".

J.P. CHAND, Presiding Officer

नई दिल्ली, 25 जनवरी, 2011

का.आ. 526.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एवं जवाहर नवोदय विद्यालय के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 99/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 25-1-2011 को प्राप्त हुआ था।

[सं. एल-42012/190/2002-आई आर (सी एम-II)]

डॉ. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 25th January, 2011

S.O. 526.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. 99/2003) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute between the management of Jawahar Navodaya Vidyalaya and their workmen, which was received by the Central Government on 25-1-2011.

[No. L-42012/190/2002-IR (CM-II)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NAGPUR

No. 99/2003

DIARY

Date	Exhibit No.	Progress
52/ 11-1-2011		Call on 11-1-2011 for orders. The hearing of petition filed by the workman before 17-11-2006 will be taken up after passing or orders on the petition before 13-6-2006, if necessary.

Petitioner/ : Shri Jeevan Lal Yadav,
Party No. 1 Vill. & P.O. Dhara, Tehsil -
Dongargarh, Distt. Rajnandgaon,
Chittisgarh (M.P.).

Versus

Respondents/ : The Principal,
Party No. 2 Jawahar Navodaya Vidyalaya,
Badhiyatola, Po. Dongargarh,
Dist. Rajnandgaon, Chattishgarh
(M.P.).

AWARD

(Dated: 11th January, 2011)

This order arises out of the petition filed by the management, for dismissal of the reference.

2. The facts necessary for disposal of the application, filed by the management can be stated as follows:

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of Jawahar Navodaya Vidyalaya and their workman, Shri Jeewan Lal Yadav for adjudication as per letter No. L-42012/190/2002-IR(CM-II) dated 17-2-2003, with the following schedule :—

"Whether the termination of service of Sh. Jeewan Lal Yadav, Ex-daily rated employee of Jawahar Navodaya Vidyalaya, Dongargarh, Dist. Rajnandgaon (C.G) w.e.f. 10-7-1999 by the Principal, Navodaya Vidyalaya is legal and justified? If not, to what relief the workman is entitled to?"

3. The petitioner filed the statement of claim stating that he was appointed as a peon on 14-12-1989 by the management of Jawahar Navodaya Vidyalaya, Badhiyatola, PO. Dongargarh, but his service was terminated orally on 10-7-1999 and he was working from 7.30 AM to 5.30 PM and the management without following the provisions of Section 25-F of the Industrial Disputes Act, 1947, terminated his service. The petitioner had prayed to reinstate him in service with continuity and full back wages.

4. The management filed the written statement stating that the petitioner was engaged for a period of 89 days at the first instance by letter of engagement dated 14-12-1989 on daily wages as a Mesh worker and after expiry of the period of engagement, the service of the petitioner was discontinued and after some days, he was again engaged at regular interval, as and when the work was available on daily wages and the petitioner was well aware of the fact that his engagement was temporary and daily wages basis and the petitioner did not work for a period of 240 days in any calendar year and the petitioner had challenged his disengagement from service, before the Hon'ble High Court of Jabalpur, Madhya Pradesh, with the prayer for quashing the order dated 10-7-1999, whereby his services were discontinued and the Hon'ble Court directed that, "if the posts are available under the school, the same be advertised and the petitioner be allowed to apply for the post and the case of the petitioner shall be considered for the posts and the age bar will not be regarded as an ineligibility" and as such, the petitioner is not entitled for any relief.

5. The case of the management in the petition filed for dismissal of the reference is that the issue which has been raised by the petitioner in this reference has already been decided by the Hon'ble High Court, Jabalpur, Madhya Pradesh and the petitioner suppressed such facts in the

reference and also his affidavit and the management has pleaded about the filing of the case by the petitioner, in the written statement filed by them and as the issue has already been decided by the Hon'ble Court, this reference is to be answered in negative.

6. The petitioner filed his objection stating that the management is engaging other persons on daily wages instead of engaging him (petitioner) and after his termination, one Shri Nanda Kishore was engaged on the same day and after that on 25-8-2006, one Shri Amar Singh was engaged on daily wages in the post of Laboratory Assistant.

It is necessary to mentioned here that in the objection also the petitioner has not whispered in a single word about for filing of Writ before the Hon'ble Court.

7. Perused the record including the claim petition, written statement re-joinder and so also the copies of the writ petition No. 4277 of 95, filed by the present petitioner before the Hon'ble High Court of Jabalpur, Madhya Pradesh and writ petitions No. 605 of 97 filed by Shri Vijay Kumar. From the copies of the writ petitioner, it is found that the present petitioner had filed the writ praying for issuance of appropriate writ/direction directing the respondents i.e. the Director, Jawahar Navodaya Vidyalaya, the Deputy Director, Navodaya Vidyalaya Samiti and the Principal, Jawahar Navodaya Vidyalaya, Dongargarh to regularize his service and pay him regular pay scale and the Hon'ble High Court, while deciding the writ petitions, disallowed the prayers of the petitioner and passed the order that, "if the posts are available under the school (if the posts are available under the school, the same to be advertised and the petitioner to be allowed to apply for the posts). Shri Namdeo submitted steps are being taken to fill up the posts, the case of the petitioners shall be considered for the posts and the age bar will not be regarded as ineligibility".

It is found from the record and the orders passed by the Hon'ble High Court of Jabalpur that the issue involved in the present reference has already been considered and decided by the Hon'ble Court. So it is not permissible for this Tribunal to consider the reference and to give any findings. Therefore, the reference on that ground is liable to be rejected. Hence, it is ordered:

ORDER

The application filed by the management is allowed and the reference is rejected.

In view of rejection of the reference, there is no need for consideration of the petition filed by the petitioner on 17-11-2006, the same being infructuous.

Send the order to the Central Government for notification.

J.P. CHAND, Presiding Officer

नई दिल्ली, 29 अक्टूबर, 2010

का.आ. 527.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ बड़ौदा के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-1, नई दिल्ली के पंचाट (संदर्भ संख्या 22/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-10-2010 को प्राप्त हुआ था।

[सं. एल-12011/18/2008-आईआर (बी-II)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 29th October, 2010

S.O. 527.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 22/2009) of the Central Government Industrial Tribunal/Labour Court-1, New Delhi now as shown in the Annexure in the industrial dispute between the employers in relation to the management of Bank of Baroda and their workman, which was received by the Central Government on 27-10-2010.

[No. L-12011/18/2008-IR (B-II)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE DR. R.K. YADAV, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.1, KARKARDOOMA COURTS COMPLEX, DELHI

I.D.No.22/2009

The General Secretary,
BOB Employees Union,
4824/24, Ansari Road,
Daryaganj, Delhi. -110002

... Workman

Versus

The D.GM., DCR-I,
Bank of Baroda,
Regional Office, DCR-1,
Bank of Baroda Building,
16-Parliament Street,
New Delhi

... Management

AWARD

An industrial dispute was raised by All India Bank of Baroda Employees Federation, Mumbai on 28-1-2008 against the management of Bank of Baroda, Mumbai, in respect of absorption of casual/temporary persons working as peons and sweepers and requested Deputy Chief Labour Commissioner (Central), Mumbai, to intervene in the matter. During the course of conciliation proceedings a settlement

was arrived at on 18-3-2008, wherein it was agreed that canteen boy system stands abolished forthwith and casual/temporary peons and sweepers shall be absorbed in bank's service, subject to conditions contained in clause 3 of the settlement, in three phases. Casual/temporary peons and sweepers were required to fulfill eligibility criteria with respect to age and qualifications as on first date of engagement by the bank, ought to be medically fit for recruitment, absorption was to take place with prospective effect, sweepers were to be absorbed in first stage of full time/part time wages viz. 1/3rd, one half, three fourth and full time respectively, casual/temporary persons working as peon who had earlier worked as full/part time sweepers were to be absorbed as sweeper-cum-peon. No arrear of wages, seniority or other benefit was to accrue to them on their absorption, their deployment was to be at sole discretion of the bank, depending upon requirement within the state. Their seniority was to be reckoned in respective cadre from the date of their absorption, which was to be made subject to their good conduct and verification of antecedents and all such employees or their unions were to withdraw all cases pending before any forum, judicial authority, tribunal or court of law. It was further agreed that Government guidelines with regard to reservation of posts for S.C., ST and O.B.C. categories shall be applicable. Such employees were to submit undertakings individually in the format, as annexed with the settlement. Settlement was not to apply to any person engaged on casual/temporary basis after 25th of July 2007, or who has not completed 240 days in a period of consecutive 12 months preceding 23rd of July, 2007. For cogent reasons bank was empowered to extend/defer process of absorption beyond time limit prescribed in the settlement, for a maximum period of 90 days. Persons, absorbed under the settlement, were not to be eligible for promotion to clerical cadre for a period of five years from the date of their absorptions. Save and except tripartite settlement dated 20-2-2008, the settlement was to supersede all provisions, understanding, agreements, settlement, practices and the union was debarred from making any demand in respect of matters covered under the settlement. Both parties agreed to submit implementation report within 30 days of the phase-wise time limit prescribed in the settlement with objections thereto, if any, failing which it was to be construed that the terms of the settlement have been fully implemented.

2. In Delhi, Bank of Baroda (in short the bank) has its Zonal Office, and two Regional offices, besides various branches. Here in Delhi Zone the bank had engaged various temporary sweepers, in its 35 branches. Though various vacant posts of sweepers were there in those branches of the bank, yet process of absorption of those temporary sweepers was not started by the bank. Bank of Baroda Employees Union (hereinafter referred to as the claimant union) raised a dispute before the Conciliation Officer seeking directions for the bank to take steps to fill up vacant

posts by way of appointment of permanent sweepers. In conciliation proceedings, the bank maintained a stand that it has approached the Government to seek permission for recruitment of staff, which approval is awaited. During conciliation proceedings, the bank resorted to engage temporary sweeper and continued those already engaged as temporary sweepers, for an indefinite period. It resulted in failure of conciliation proceedings. On submission of failure report by the Conciliation Officer to the appropriate Government under sub-section (4) of Section 12 of the Industrial Disputes Act, 1947 (in short the Act), the appropriate Government referred the dispute to this Tribunal for adjudication, vide order No. L-12011/18/2008-IR(B-II), New Delhi, dated 30-7-2008, with the following terms :

"Whether the action of the management of Bank of Baroda in keeping temporary sweepers (as per list enclosed) continuously without regularizing their services is just, fair and legal? If not to what relief the workmen concerned are entitled to and from which date? "

3. A list of eighteen temporary sweepers was annexed with the reference by the appropriate Government wherein names of S/Shri Sita Ram, Mrs. Poonam, Sita, Hans Raj, Mihesh Chand, Roop Chand, Satish Chand, Vijay, Dinesh Kumar, Tapon Kumar, Satish Kumar, Sanjay, Saroj, Anita, Baby, Kishan, Sandeep and Reshma were mentioned. In that list branch offices, where the aforesaid persons were employed, besides their monthly wages, were detailed. A note was also appended to that list, detailing therein that the union asserted that vacancies were existing from many years and aforesaid employees have completed 240 days of service, requiring a permanent status.

4. Claim statement was filed by the claimant union pleading therein that during past several years vacancies of permanent sweepers have occurred in various branches of the bank in Delhi, on account of promotion, retirement sought by permanent sweepers or retirement on superannuation. The bank had not taken necessary steps to fill vacant posts by way of recruitment of permanent sweepers. The claimant union has been taking up the issue of appointment of sweeper in 35 branches of the bank in Delhi. When no positive response was received from the bank, the claimant union has raised an industrial dispute before the Conciliation Officer with a prayer to direct the bank to take necessary steps to fill up vacant posts by way of appointment of permanent sweeper. The bank maintained a stand that permission from the Central Government is sought for recruitment of staff, which is still awaited. During pendency of the conciliation proceedings, the bank engaged temporary sweeper and continued them for indefinite period. The branch manager(s) extracts full day job from those sweepers but pay wages in terms of Bipartite Settlements. Their wages are paid through vouchers and

sometimes in fictitious names. They are not allowed to mark their attendance in muster roll, maintained by the branches of the bank. The bank is thus exploiting temporary sweepers.

5. The claimant union projects that conditions of service of bank employees are governed by Sastri Award, Desai Award and Bipartite Settlements, to which the bank is a party. Standing orders are applicable to the bank, which is required to record particulars of employees, his date of entry in bank, name of post and the amount of salary paid to him, besides issuance of an appointment letter. As per clause 20.8 of the Bipartite Settlement dated 19-10-66, a temporary workman may be appointed to fill a permanent vacancy, provided such appointment shall not exceed a period of three months, during which period bank shall make arrangement to fill up the vacancy permanently. Bank may appoint an employee on casual or badli or temporary basis to meet sudden exigency of the work. But such appointments shall not continue for a longer period. To continue an employee as badli or casual or temporary for an indefinite period amounts to unfair labour practice, which practice has been deplored by the Apex Court In H.D. Singh, [1986(1) L.L.J. 127]. The bank does not maintain record of temporary sweepers employed in its various branches in Delhi. Temporary sweeper have completed more than 240 days of service and are entitled for regular employment in the bank. Ad-hoc appointments in the bank are governed by statutory rules and regulations. Employment to sub-staff cadre should be made through Employment Exchange by notifying vacancies. The bank had not followed such procedure while engaging sweepers against permanent vacancies on temporary basis for indefinite period.

6. Enlisting names of temporary sweepers, the claimant union projects that they were engaged in various branches of the bank against permanent posts. All of them have completed 240 days of service and are entitled for regularization of their services as permanent sweeper(s). Claimant union present that the bank had entered into a tripartite settlement on 18th of March, 2008, in the matter of absorption of casual/temporary peons and sweepers in bank. It details that in the said settlement the bank agreed to absorb temporary sweepers in the service of the bank in three phases, subject to fulfilling eligibility criteria as on the date of their first engagement in the bank. Their engagement was to be prospective and they as well as their unions were saddled with an obligation to withdraw all pending cases before the Conciliation Officer(s) or the adjudicating Authorities.

7. The claimant union unfolds that service of Smt. Baby has been regularized by the bank in 2008, under phase one of tripartite settlement, referred above. Smt. Sita Devi, Smt. Saroj, Shri Mehar Chand and Shri Vijay, who have worked for more than 240 days in a calendar year

between 1-1-91 and 29th of February, 1996 and were working with the bank till the date of settlement, have not been considered for regularization in second phase. Services of Smt. Sita Devi, Smt. Poonam, Shri Mehar Chand, Shri Roop Chand, Shri Vijay and Anita were done away by the bank, during the pendency of the dispute before this Tribunal, in violation of the provisions of section 33 of the Act. Contract labours have been employed in their place, which act amounts to violation of section 10 of Contract Labour (Regulation and Abolition) Act, 1970 (in short the Contract Labour Act). The bank is an instrumentality of the state and expected to honour contents of the settlement, referred above. It has been claimed that an order may be passed regularizing services of Shri Sita Ram, Smt. Poonam, Smt. Sita, Shri Hans Raj, Shri Mehar Chand, Shri Roop Chand, Shri Satish Chand, Shri Vijay, Shri Dinesh Kumar, Shri Tapan Kumar, Shri Satish Kumar, Shri Sanjay, Smt. Saroj, Smt. Anita, Shri Kishan, Shri Sandeep and Smt. Reshma as permanent sweepers with retrospective effects, besides payment of arrears of their salary and other consequential benefits.

8. Claim was demurred by the bank asserting that the appropriate Government had made the reference in a mechanical manner, under an assumption that there existed employer and employee relationship between the parties. It has been pleaded that no such relationship ever existed, since neither the persons, whose name appear in the list annexed with the reference, ever applied for appointment in the bank nor they were called by the bank for recruitment process nor their names were sponsored by the employment exchange for employment with the bank. None of them was employed by the bank in accordance with the extant rules. Therefore, no industrial dispute was in existence, which could be referred for adjudication. The bank pleads that words "absorption" and "regularization" have different implications and consequences. Word "regularization" connotes and is calculated to condone any procedural irregularities in the process of making appointment and meant to cure only such irregularities which are attributable to methodology followed in making appointments. Hence regularization cannot and does not relate to permanence on a post. When there is no appointment in accordance with extant rules or if an appointment is in infraction of statutory rules, that illegality cannot be rectified or regularized. Rectification or regularization of an act is possible within the province of the authority, but there has been some non compliance with the procedure or mode and manner which does not go to root of appointment. Regularization, therefore, cannot be a mode of recruitment, at the cost of setting at naught recruitment rules, through back door entry. The claimant union has not pointed out any procedural irregularity in case(s) of the persons mentioned in the list, since none of them was appointed in the bank. The order of reference, which speaks of regularization of the services of persons mentioned in the list, is invalid and incapable of being

answered, for terms of reference are utterly vague and unspecific. Persons, whose cases are subject matter, cannot be considered for absorption in the services of the bank, since it has not been mentioned as to what was their date of birth and eligibility at the time of their first engagement in the bank. The references have become infructuous, by virtue of terms of Bipartite Settlement, referred to by the claimant union.

9. The bank pleads that the claim statement, filed by the claimant union, is neither in compliance of the government directives nor in conformity with rule 10-B of Industrial Disputes (Central) Rules, 1957 (in short the Rules). It has not been disputed that vacancies of sweepers have occurred in the bank. However, it is pleaded that determination for filling up of those vacancies is exclusive function of the bank and the courts have no competence and jurisdiction to issue writs, order or direction to the employer to recruit or appoint any person or absorb, regularize, confirm or promote employees on a post in violation of service rules or constitutional provisions contained in Article 14-16 of the Constitution. It has been pleaded that Shastri Award, Desai Award and Bipartite Settlements contain service conditions for permanent award staff or temporary employees and not for casual employees like the persons mentioned in the schedule to the reference, who were engaged to do job work on daily wage basis. Bipartite Settlements prior to 1st of August, 1979, are not applicable to the bank. It has further been pleaded that on completion of 240 days of service persons, whose names are detailed in the schedule, would not get any right to claim regularization or permanent status in the service of the bank. Any daily wager, casual or temporary sweeper, who possess eligibility norms, stipulated under the said settlement can be considered for absorption in bank's service. They cannot be ordered to be regularized as claimed by the claimant union. It has been disputed that the bank has no right to outsource sweeping job or to invite persons for carrying out such jobs. The bank being the state, an instrumentality of Government of India, is committed to obey provisions and pronouncements of law by the courts. Bank had not violated any provision of the Contract Labour Act. It has been disputed that the bank is guilty of unfair labour practice. A claim has been made that the order of reference is invalid and bad in law. This Tribunal may declare that it lacks necessary jurisdiction to answer terms of reference and the persons named in the schedule are not entitled to relief sought by the claimant union.

10. To substantiate the claim Shri Dinesh Kumar (WW1), Shri Vijay Kumar, (WW2), Smt. Sita Devi (WW3) and Shri C.S. Dabia (WW4) tendered their affidavits as evidence. They were cross-examined at length on behalf of the bank. Shri K.C. Hans, (MW1) tendered his affidavit as evidence on behalf of the bank. He was cross-examined

at length on behalf of the claimant union. No other witness was examined by either of the parties.

11. Arguments were heard at the bar. Shri C.S. Dahia, General Secretary of the claimant union, advanced arguments in favour of the claim, so made. Shri T. C. Gupta, authorised representative, advanced arguments on behalf of the bank. Written submissions were filed by the parties. I have given my careful considerations to the arguments advanced at the bar and cautiously perused the record. My findings on issues involved in the controversy are as follows:

12. At the outset Shri Gupta argued that terms of reference, as framed by appropriate Government and referred for adjudication to this Tribunal, were neither a cause nor a lis between the parties. The appropriate Government grossly erred as to the meaning of the terms "absorption in service" or "regularization of service", since no regularization is permissible in executive power or judicial fiat, in contravention of statutory rules. He urged that the persons, whose names are annexed with the schedule, have not entered services of the bank in consonance with the extant rules and, therefore, none of them have a right to be regularized in service. He agitates that regularization is possible of an act, if there has been some non compliance with the procedure or manner in making appointment, not going to the root of the appointment. Regularisation cannot be a mode of recruitment, in defiance of rules. According to him, the appropriate Government has assumed that the persons, whose names are detailed in annexure to the schedule, were employed by the bank, in whose employment there have been procedural irregularity and as such terms of reference were worded as to "whether the action of the bank in keeping temporary sweepers continuously without regularization of their signatures is just, fair and legal". He agitates that their employment was neither in consonance with recruitment rules nor there has been any procedural irregularity which could be corrected, hence reference is bad and this Tribunal lacks jurisdiction in entertaining it for adjudication. Contra to it Shri Dahia agitates that the terms of reference are clear and specific without any ambiguity in form or extent of the question. He argued that submissions advanced by Shri Gupta may be discarded.

13. As projected above, the appropriate Government referred a question to this Tribunal projecting whether action of the bank in keeping temporary sweeper continuously without regularization of the services is just fair and legal. This question consists of two limbs, viz. (i) whether act of keeping temporary sweepers continuously in service is just, fair and legal? and (ii) whether their continuance without regularization of their services is just, fair and legal? Therefore, order of reference has two pronged propositions, namely, (i) to ascertain the legality,

fairness and justiciability of the act of keeping temporary sweepers in service continuously, and (ii) to answer legality, fairness and justiciability of non regularization of their services.

14. For making a reference for adjudication to this Tribunal, ambit of powers of the appropriate Government, as enacted in sub-section (1) of section 10 of the Act, needs consideration. Before advertting to that exercise, one should not be oblivious of the purpose for which the Act was enacted by the legislature. The scheme of the Act shows that it aims at settlement of all industrial disputes arising between capital and labour by peaceful methods and through the machinery of conciliation, arbitration and if necessary by compulsory adjudication. The object of the Act is to protect workman against victimization by the employer and ensure termination of industrial dispute in a peaceful manner. The Act, however, does not provide for any set of social and economic principles for adjustment of conflicting interests. Such norms have been evolved and devised by industrial adjudication, keeping in view the social and economic conditions, the needs of the workmen, the requirement of the industry, social justice, relative interests of the parties and common good. These norms have given rights to the industrial employees what may be called industrial rights, as such rights may not be available at common law. Disputes as to the conditions of employment can be resolved by resorting to a technique known as collective bargaining. This tool is resorted to between an employer or group of employers and a bona fide labour union. Policy behind this is to protect workmen as a class against unfair labour practices. What imparts to the dispute of a workman the character of an "industrial dispute" is that it affects the right of the workman as a class. But by way of extension of definition of industrial dispute, by insertion of section 2A of the Act, the dispute of an individual workman connected with or arising out of his discharge, dismissal, retrenchment or otherwise termination of his service by his employer has been brought within the ambit of the Act.

15. For adjudication of industrial disputes the appropriate Government is empowered to constitute Labour Courts, Industrial Tribunals and National Tribunals. Sub-section (1) of Section 7 of the Act empowers the appropriate Government to constitute one or more Labour Courts for adjudication of industrial disputes relating to any matter specified in the Second Schedule and for performing such other functions as may be assigned to them under the Act. Sub-section (1) of Section 7A of the Act empowers the appropriate Government to constitute one or more Industrial Tribunal for adjudication of industrial disputes relating to any matter, whether specified in the Second Schedule or the Third Schedule and for performing such other functions as may be assigned to them under the Act. In the same manner sub-section (1) of section 7B of the Act empowers

the Central Government to constitute one or more National Industrial Tribunal for adjudication of industrial disputes which, in the opinion of the Central Government, involve questions of national importance or are of such a nature that industrial establishments situated in more than one State are likely to be interested in, or affected by, such disputes. Therefore, the aforesaid provisions make it clear that Labour Courts are constituted for adjudication of disputes relating to any matter specified in the Second Schedule appended to the Act and for performing such other functions as may be assigned to them under the Act. An Industrial Tribunal can adjudicate any dispute relating to any matter whether specified in the Second Schedule or Third Schedule appended to the Act and such other functions as may be assigned to them under the Act. National Tribunal can be constituted to adjudicate an industrial dispute involving questions of national importance or of such a nature in which industrial establishments situated in more than one State are likely to be interested in or affected by such disputes.

16. For referring an industrial dispute for adjudication the appropriate Government should satisfy itself, on the facts and circumstances brought to its notice, for its subjective opinion that an industrial dispute exists or is apprehended. The factual existence of a dispute or its apprehension and expediency of making a reference are matters entirely for the Government to decide. An order making a reference is an administrative act and the fact that the Government has to form an opinion as to the factual existence of an industrial dispute as a preliminary step to the discharge of its function does not make it any the less administrative in character. The adequacy or sufficiency of material on which opinion was formed is beyond the pale of judicial scrutiny.

17. Sub-section (1) of Section 10 of the Act contemplates that "where the appropriate Government is of opinion that any industrial dispute exists or is apprehended, it may at any time, by order in writing refer the dispute . . ." which makes function of the appropriate Government to make a reference as an administrative decision. The Apex Court in Western India Match Company [1970(2) L.L.J 256] ruled that the power conferred on the appropriate Government is an administrative act and formation of opinion as to factual existence of an industrial dispute as a preliminary step to discharge its function does not make it any the less administrative in character. The observations made by the court are extracted thus :—

"It was so held presumably because the Government cannot go into the merits of the dispute, its function being only to refer such a dispute for adjudication so that the industrial relations between the employer

and his employees may not continue to remain disturbed and the dispute may be resolved through a judicial process as speedily as possible.

18. In Ram Avtar Sharma [1985 (II) LLJ 187] the Apex Court reiterated the same proposition of law. It was observed that while exercising power to or of making a reference under sub-section (1) of Section 10 of the Act, the appropriate Government performs an administrative act and not judicial or quasi judicial act. However, for making a reference of the dispute for adjudication, the appropriate Government has to satisfy itself about existence of an industrial dispute or record its satisfaction that an industrial dispute is apprehended. For formation of the necessary opinion, the appropriate Government must also be satisfied that a person whose dispute is being referred for adjudication is a "workman". From the material placed before it, the appropriate Government rules an administrative decision whether there exist an existing or apprehended industrial dispute. Adequacy or sufficiency of material, on which the opinion was formed, is beyond the pale of judicial scrutiny. When appropriate Government makes a reference of an industrial dispute for adjudication, it does not decide any question of fact or law. When once the Government is satisfied as to existence or apprehension of an industrial dispute, it acquires jurisdiction to refer the dispute for adjudication.

19. Here in the case the bank nowhere pleads that there was no adequate or sufficient material with the appropriate Government to form an opinion about existence or apprehension of an industrial dispute. It is not the case of the bank that the claimant union had not placed all facts before the appropriate Government to the effect that the persons whose names are detailed in schedule to the reference were not workmen or there was no difference or dispute between the employer and them which was connected with their employment or non employment or terms of employment or with their conditions of labour. No whisper of fact has been made to assert that the bank is not an industry within the meaning of clause (j) of Section 2 of the Act. Therefore, these facts make it clear that there was sufficient material available with the appropriate Government for form an opinion about existence of an industrial dispute between the bank and the claimant union who had adapted the case of the persons whose names appear in the schedule to the reference. On formation of an opinion as to the existence of the industrial dispute the appropriate Government was not to perform any judicial or quasi judicial act. It has to perform an administrative act of making reference of the dispute to this Tribunal for adjudication. Therefore, it is evident that the Government has rightly exercised its jurisdiction available to it under clause (d) of sub-section (1) of Section 10 of the Act.

20. Can formation of opinion by the appropriate Government as to existence of the industrial dispute be

termed as dishonest? As emerge out of the pleadings claimant union has espoused the cause of persons, who were serving as temporary sweepers with the bank since long. Their engagement on casual basis has not been disputed by the bank. It was only urged that their engagement was dehors the rules. Bank thinks that the appropriate Government ought to have considered that proposition and then would have declined the reference, on the ground that being engaged in violation of the rules, the claimant union was not in a position to show existence of relationship of employer and employee between temporary sweepers and the bank. This exercise would have resulted into discharge of judicial/quasi judicial functions, which never vested in the appropriate Government. As far as formation of the opinion is concerned as to existence of industrial dispute between the parties, the bank adopts a posture of silence. Contention advanced by Shri Gupta that the appropriate Government ought to have taken into account factum of engagement of temporary sweepers being dehors the rules and then decline the reference is unfounded, since he wants to put the appropriate Government to a pedestal of adjudicating authority. No such power was available to the appropriate Government to adjudicate the fact as to whether there was relationship of employer and employee between the parties. It is a dispute, which is to be adjudicated by the Tribunal, being incidental to the question referred. Hence contention of the management that the appropriate Government failed to consider the aforesaid proposition and referred the dispute in the mechanical manner is unfounded. The same is, therefore, brushed aside.

21. As unfolded by the claimant union in the claim statement, persons whose names are mentioned in schedule to the terms of reference were kept by the bank as temporary sweepers for a very long period. Their engagement as temporary sweepers has not been a disputed fact. It was claimed by the bank that they were engaged dehors recruitment rules. Therefore, case projected by the parties is that persons, whose names are detailed in schedule to the terms of reference, were working with the bank as temporary/casual sweepers. The bank asserts that their engagement as temporary/casual sweepers nowhere creates relationship of employer and employee between the parties and since their engagement was violative of the recruitment rules, their services cannot be regularized contra to it the claimant union projects that keeping them as temporary sweepers continuously is violative of the scheme of the Act and the bank is under an obligation to regularise their services, in accordance with the scheme provided in settlement dated 18-3-2008.

22. The relationship of employer and employee is constituted by a contract, express or implied between employer and employee. A contract of service is one in which a person undertakes to serve another and to obey his reasonable orders within the scope of the duty

undertaken. A contract of employment may be inferred from the conduct which goes to show that such a contract was intended although never expressed and when there has, in fact, been employment of the kind usually performed by the employees. Any such inference, however, is open to rebuttal as by showing that the relation between the parties concerned was on a charitable footing or the parties were relations or partners or were directors of a limited company which employed no staff. While the employee, at the time, when his services were engaged, need not have known the identity of his employer, there must have been some act or contract by which the parties recognized one another as master or servant.

23. In affidavit Ex. WW1/A Dinesh Kumar swears that he joined Bareli Corporation Bank Ltd. on 25th of March, 91 as a part time sweeper. Bareli Corporation Bank was merged with Bank of Baroda in 1999. All workmen of erstwhile Bareli Corporation Bank were absorbed in the services of Bank of Baroda. Thus he has been in service of the bank from last 18 years. He went on to depose that now the bank is paying him 1/3rd of scale wages, but not allowing him to mark his attendance. No appointment letter has been issued to him. When his testimony was purified, by an ordeal of cross examination, he unfolded that as on date he was getting his wages at Rs. 3200 PM. The bank opted not to refute facts testified by Dinesh Kumar, to the effect that he was in its employment since merger of Bareli Corporation Bank with Bank of Baroda. On the other hand Shri K. C. Hans admits that Dinesh Kumar and Reshma are still working with the bank.

24. Vijay Kumar swears in his affidavit Ex. WW2/A that he was engaged as a part time temporary sweeper by Bank of Baroda in November, 1997. He was removed from service by the Bank in August, 2008, without service of any notice or pay in lieu thereof. Shri K. C. Hans concedes that Vijay Kumar worked with the bank from November, 97, till August, 2008. Smt. Sita Devi projects in her affidavit Ex. WW 3/A that she joined Connaught Circus, New Delhi branch of the bank as part time sweeper on 1-12-96. Her services were disengaged in August, 2008, without giving her any notice or pay in lieu thereof. She concedes that no appointment letter was issued to her by the bank. However, bank failed to dispel her claim that she served it as part time sweeper from December, 96 till August, 2008. Shri C. S. Dahia projects in his testimony that Smt. Sita worked with the bank from 1-12-96 till August, 2008.

25. Shri C. S. Dahia swears in his affidavit Ex. WW 4/A that Shri Sita Ram was working with the bank since 2nd April, 2000. Smt. Poonam was working with the bank since 7-7-06, Sita has worked from 1-12-96 till August, 2008, Hans Raj worked from 4-4-2000 till July, 2008. Mehar Chand had worked from January, 2004 to July, 2008. Roop Chand is working since May, 1997. Suresh Chand is working since April, 2004, Vijay worked with the Bank

from November, 1997 till August, 2008. Dinesh Kumar is working with the bank since 25-3-1991, Satish Kumar has been working from April, 2004, Sanjay is working from November, 2000, Saroj is working from March, 98, Anita worked from 1999 to May, 2008, Kishan worked from January, 2004 till October, 2008, Sandeep worked from September, 2006 to August, 2008, and Reshma is working since 1999. Baby is working with the bank, whose services have been regularized and Tapan Kumar left service of the Bank and joined some other job. When Shri Dahia was subjected to cross examination no efforts were made by the bank to dispel facts regarding engagement of the aforesaid persons as part time sweepers. However, it was projected that Smt. Sita, Hans Raj, Mehar Chand, Vijay, Tapan Kumar, Anita, Kishan and Sandeep were not in the services of the bank, which proposition was not disputed. But Shri Dahia asserts that their services were dispensed with, except Tapan Kumar, without giving any notice or pay in lieu thereof. In his testimony Shri K.C. Hans concedes that Dinesh Kumar was engaged as a temporary sweeper since 25-3-91, who is still serving the Bank. Smt. Reshma is still serving the bank, projects Shri Hans. He unfolds that service of Smt. Baby has been regularized. Therefore, out of facts projected by Shri Dinesh Kumar, Vijay Kumar, Smt. Sita Devi, Shri C.S. Dahia and K.C. Hans it emerge over the record that the claimants were engaged as part time sweepers by the bank. In its written statement, the bank does not dispute that the claimants were engaged as part time sweeper(s). However, it projects that none of them were eligible to be regularized in service, as sought by the claimant union. Therefore, it is evident that the bank engaged aforesaid claimants as part time sweepers at different occasions and in different branches. Engagement of the claimants as part time sweeper established relationship of employer and employee between them on one hand and bank on the other. It does not lie in the mouth of the bank to agitate that no relationship of employer and employee ever existed between the parties. Contention so raised by Shri Gupta is brushed aside.

26. As projected by Shri Dahia in his testimony Smt. Sita, Hans Raj, Mehar Chand, Vijay, Anita, Kishan and Sandeep were disengaged by the bank, without any notice or pay in lieu thereof and payment of retrenchment compensation. He highlights that services of Smt. Sita were disengaged in August, 2008, that of Hans Raj were disengaged in July, 2008, services of Vijay and Sandeep were disengaged in August, 2008. Services of Kishan were disengaged in October, 2008 and services of Smt. Anita were disengaged in May, 2008. As emerge out of the reference order, the Conciliation Officer submitted his failure report dated 4-3-2008 before appropriate Government as contemplated by sub-section 4 of Section 12 of the Act. The appropriate Government referred the dispute to this Tribunal for adjudication on 30-7-2008.

27. Section 33 of the Act bars alteration in conditions of service "prejudicial" to the workman concerned in the dispute and punishment of discharge or dismissal when either is connected with pendentelite industrial dispute "save with the permission of the authorities before whom the proceedings is pending" or where the discharge or dismissal is for any misconduct not connected with the pendentelite industrial dispute without the "approval of such authority". Prohibition contained in Section 33 of the Act is two fold. On one hand, they are designed to protect the workman concerned during the course of industrial conciliation, arbitration and adjudication, against employers harrasment and victimization, on account of their having raised the industrial dispute or their continuing the pending proceedings and on the other, they seek to maintain status quo by prescribing management's conduct which may give rise to "fresh dispute" which further exacerbate the already strained relations between employer and the workman. Where industrial disputes are pendentelite before an authority mentioned in the section, it was thought necessary that such disputes should be conciliated or adjudicated upon by the authority in a peaceful atmosphere, undisturbed by any subsequent causes for bitterness or unpleasantness. To achieve this object, a ban has been imposed upon the employer exercising his common law, statutory or contractual right to terminate the services of his employees according to contract or the provisions of law governing such service. The ordinary right of the employer to alter the terms of his employees' services to their prejudice or to terminate their services under the general law governing contract of employment, has been banned subject to certain conditions. This ban, therefore, is designed to restrict the interference of the general rights and liabilities of the parties under the ordinary law within the limits truly necessary for accomplishing the object of those provisions. Anxiety to know about ban on the right of the employer, persuades me to reproduce the provisions of section 33 of the Act thus:

"33. Conditions of service, etc., to remain unchanged under certain circumstances during pendency of proceedings. (1) During the pendency of any conciliation proceeding before a conciliation officer or a Board or of any proceeding before an arbitrator or a Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employer shall ,

- (a) in regard to any matter connected with the dispute, alter, to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately before the commencement of such proceeding; or
- (b) for any misconduct connected with the dispute, discharge or punish, whether by dismissal or otherwise, any workman concerned in such dispute.

Save with the express permission in writing of the authority before which the proceeding is pending.

(2) During the pendency of any such proceeding in respect of an industrial dispute, the employer may, in accordance with standing orders applicable to a workman concerned in such dispute or, where there are no such standing orders, in accordance with the terms of the contract, whether express or implied, between him and the workman—

- (a) alter, in regard to any matter not connected with the dispute, the conditions of service applicable to that workman immediately before the commencement of such proceeding; or
- (b) for any misconduct not connected with the dispute, discharge or punish, whether by dismissal or otherwise, that workman:

Provided that no such workman shall be discharged or dismissed, unless he has been paid wages for one month and an application has been made by the employer to the authority before which the proceeding is pending for approval of the action taken by the employer.

(3) Notwithstanding anything contained in sub-section (2), no employer shall, during the pendency of any such proceeding in respect of an industrial dispute, take any action against any protected workman, concerned in such dispute—

(a) by altering, to the prejudice of such protected workman, the conditions of service applicable to him immediately before the commencement of such proceeding; or

(b) by discharging or punishing, whether any dismissal or otherwise, such protected workman,

save with the express permission in writing of the authority before which the proceeding is pending.

Explanation. For the purposes of this sub-section, a "protected workman", in relation to an establishment, means a workman who, being a member of the executive or other office bearer of a registered trade union connected with the establishment, is recognized as such in accordance with rules made in this behalf.

(4) In every establishment, the number of workmen to be recognised as protected workmen for the purposes of sub-section (3) shall be one per cent of the total number of workmen employed therein subject to a minimum number of five protected workmen and a maximum number of one hundred protected workmen and for the aforesaid purpose, the appropriate Government may make rules providing for the distribution of such protected workmen among various trade unions, if any, connected with the establishment and

the manner in which the workmen may be chosen and recognized as protected workmen.

(5) Where an employer makes an application to a conciliation officer, Board, an arbitrator, a Labour Court, Tribunal or National Tribunal under the proviso to sub-section (2) for approval of the action taken by him, the authority concerned shall, without delay, hear such application and pass, within a period of three months from the date of receipt of such application, such order in relation thereto as it deems fit. Provided that where any such authority considers it necessary or expedient so to do, it may, for reasons to be recorded in writing, extend such period by such further period as it may think fit. Provided further that no proceedings before any such authority shall lapse merely on the ground that any period specified in this sub-section had expired without such proceedings being completed.

28. As noted above sub-sections (1) and (2) are designed for different purposes since sub-section (1) applies to the proposition when the employer wants to alter service conditions of the workman to his prejudice in regard to any matter connected with the dispute or for any misconduct connected with the dispute, in that situation he is obliged to seek prior permission in writing of the authority before whom the dispute is pending and in a case where the employer wants to alter service conditions of a workman in regard to a matter not connected with the dispute or for any misconduct not connected with the dispute, in that situation he is obliged to seek approval of the order under sub-section (2) of the aforesaid section. When an employer violates the provisions of sub-section (1) or sub-section (2) of Section 33 of the Act, an instant remedy is provided to the workman by the provisions of Section 33A of the Act. In other words, where an employer has contravened the provisions of Section 33, the aggrieved workman has been given the option to make a complaint in writing, to the authority before whom an industrial dispute is pending, with which the aggrieved workman is concerned. The complaint of such contravention can be made not to the adjudicating authorities, but to the conciliatory authority also. If a complaint is made to a conciliatory authority, viz. a Conciliation Officer or a Board of Conciliation, clause (a) of Section 33A of the act authorizes a Conciliation Officer or the Board to take such complaint into account in bringing about a settlement of the complained dispute. The Conciliation Officer or the Board is not empowered to adjudicate upon the dispute, which is the area of adjudicatory authorities. When a complaint is made to adjudicatory authority viz. Arbitrator Labour Court, Tribunal or National Tribunal, it will adjudicate upon the dispute as if it is a dispute referred to or pending before it. In the alternative the workman may approach the appropriate Government under clause (d) of sub-section

(1) of Section 10 of the Act seeking a reference of the dispute to a Tribunal for adjudication.

29. It has to be seen as to whether there was any contravention of the provisions of Section 33 of the Act. Neither Dinesh Kumar nor Vijay Kumar nor Smt. Sita Devi nor Shri C.S. Dahia opted to testify any fact as to when a dispute was raised before the Conciliation Officer, when the bank had not opted to regularize their services. No evidence worth name was adduced as to when the conciliation proceedings came to an end. Out of the reference order, it came to light that failure report dated 11-3-2008 was submitted by the Conciliation Officer to the appropriate Government. Section 20 of the Act makes provision in respect of commencement and conclusion of proceedings before the Conciliation Officer. Sub-section (1) of the said section contemplates as to when conciliation proceedings commences before a Conciliation Officer in a public utility service. The 1st limb of sub-section (1) speaks that a conciliation proceeding shall commence on the date on which a notice of strike or lock out, under Section 22 is received by the Conciliation Officer. The second limb of the said sub-section provides that proceedings before a Board shall commence when a reference under sub-section (1) of Section 10 is made by the appropriate Government, whether the dispute relates to public utility service or a non public utility service Sub-section (2) of the said section details points of time on which conciliation proceedings before a Conciliation Officer or a Board shall be deemed to have been concluded, which are enumerated thus:

1. In case a settlement is arrived at, whether before a Conciliation Officer or the Board the date on which memorandum of settlement is signed by the parties to the dispute.
2. In case no settlement is arrived at :
 - (a) the date on which the report of the Conciliation Officer is received by the appropriate Government or (b) the date on which report of the Board is published under section 17,
3. In case, during the pendency of the conciliation proceedings, the dispute is referred for adjudication the date of reference would be date of the conclusion of the conciliation proceedings.

30. At the cost of repetition, it is said that no evidence was brought over the record as to when the failure report was sent by the Conciliation Officer to the appropriate Government for consideration. However, failure report was recorded by the Conciliation Officer on 11-3-2008. It is not the date when failure report was recorded but it is the date when failure report was actually received by the appropriate Government on which conciliation proceedings shall be deemed to have been concluded. When the date on which failure report was received by the appropriate

Government is not available, the Tribunal cannot conclude as to on which date conciliation proceedings shall be deemed to have been concluded. However, it would be taken to mean that the conciliation proceedings came to an end on 11-3-2008, on that very date, the failure report is presumed to have been received by the appropriate Government. Clause (c) of sub-section (2) of Section 20 of the Act is not applicable to the case, since reference was not made during pendency of the conciliation proceedings. The appropriate Government considered the said failure report and made reference of the dispute to this Tribunal for adjudication on 30-7-2008. Therefore, on that date this tribunal is deemed to have been seized of the industrial dispute for the purpose of adjudication.

31. As projected by Shri Dahia, services of Smt. Anita were done away by the bank in May, 2008. Evidently in May, 2008 the appropriate Government was considering the said failure report to form an opinion about existence of an industrial dispute and making a reference of that dispute to this Tribunal for adjudication. No conciliation proceedings were pending before the Conciliation Officer in May, 2008. This tribunal was not seized of the dispute on that date. Therefore, it is evident that when services of Smt. Anita were dispensed with, provisions of Section 33 of the Act were not in operation. It cannot be said that the management violated provisions of the said section when services of Anita were done away.

32. As unfolded by Shri Dahia, services of Shri Hans Raj and Mehar Chand were dispensed with in July, 2008. No date is mentioned. Ambiguous testimony of Shri Dahia on that issue nowhere lead this Tribunal on the proposition whether Hans Raj and Mehar Chand served the bank till last date of that month. The Tribunal has to presume a date on which their services were dispensed with. Taking into account all facts and circumstances, I presume that service of Hans Raj and Mehar Chand were dispensed with on 31st of July, 2008, the last date of the month. Smt. Sita was made to go by the bank in August, 2008. Same was the case with Vijay Kumar whose services were done away in August, 2008. Ashok Kumar also lost his job in August, 2008. Kishan was shown door of his house by the Bank in October, 2008. On 31st of July, 2008 and thereafter this Tribunal was seized of the adjudication. Consequently it is evident that action of the bank in dispensing with the services of the aforesaid claimants on 31st of July, 2008, in August, 2008 and October, 2008 is violative of the provisions of Section 33 of the Act.

33. Employees, whose services were dispensed with by the bank in contravention of the provisions of Section 33 of the Act, are aggrieved by that action. Since contravention of the provisions of Section 33 of the Act, during pendency of adjudication process has come over the record, now occasion arises for this Tribunal to embark upon articulation of facts in that regard. Since services of

the aforesaid claimants were dispensed with by the bank, during pendency of the dispute for adjudication before this Tribunal in regard to the matter connected with the dispute, the bank was required to move an application for approval of its action as provided by the provisions of Section 33(2)(a) of the Act. Admittedly no such application for approval was moved by the bank. Since the dispute was pending before this Tribunal for adjudication at the time of contravention of Section 33 of the Act, the bank was under an obligation to make payment of one months notice wages and file application of approval of its action, as a part of the same transaction. No such payment of notice wages is alleged to have been made nor an application was moved by the bank.

34. What is the effect of non-moving an application for approval? Such proposition was taken note of by the Apex Court in, Jaipur Zila Sehkari Bhoomi Vikas Bank (AIR 2002 S.C. 643) wherein it was held that it would be clear case of contravention of the proviso to Section 33(2)(b) of the Act. It would be expedient to reproduce the law laid in the above precedent, which are extracted thus:

"The proviso to Section 33(2)(b), as can be seen from its very unambiguous and clear language, is mandatory. This apart from the object of Section 33 and in the context of the proviso to Section 33(2)(b), it is obvious that the conditions contained in the said proviso are to be essentially complied with. Further any employer who contravenes the provisions of Section 33 invites a punishment under S.31(1) with imprisonment for a term which may extend to six months or with fine which may extend to Rs.1000 or with both. This penal provision is again a pointer of the mandatory nature of the proviso to comply with the conditions stated therein. To put it in other way, the said conditions being mandatory, are to be satisfied if an order of discharge or dismissal passed under Section 33(2)(b) is to be operative, if an employer desires to take benefit of the said provision for passing an order of discharge or dismissal of an employee, he has also to take the burden of discharging the statutory obligation placed on him in the said proviso. Taking a contrary view that an order of discharge or dismissal passed by an employer in contravention of the mandatory conditions contained in the proviso does not render such an order inoperative or void, defeats the very purpose of the proviso and it becomes meaningless. It is well settled rule of interpretation that no part of statute shall be construed as unnecessary or superfluous. The proviso cannot be diluted or disobeyed by an employer. He can not disobey the mandatory provision and then say that the order of discharge or dismissal made in contravention of Section 33(2)(b) is not void or inoperative. He cannot

be permitted to take advantage of his own wrong. The interpretation of statute must be such that it should advance the legislative intent and serve the purpose for which it is made rather than to frustrate it. The proviso to Section 33(2)(b) affords protection to a workman to safeguard his interest and it is a shield against victimization and unfair labour practice by the employer during the pendency of industrial dispute when the relationship between them are already strained. An employer cannot be permitted to use the provision of Section 33(2)(b) to ease out a workman without complying with the conditions contained in the said proviso for any alleged misconduct said to be unconnected with the already pending industrial dispute. The protection afforded to a workman under the said provision cannot be taken away. If it is to be held that an order of discharged of dismissal passed by the employer without complying with the requirements of the said proviso is not void or inoperative, the employer may with impunity discharge or dismiss a workman."

35. The Apex Court dealt with the situation of the withdrawal of such approval application or not making an application in the following manner :

"The view that when no application is made or the one made is withdrawn, there is no order of refusal of such application on merit and as such the order of dismissal or discharge does not become void or inoperative unless such an order is set aside under Section 33A, cannot be accepted. In our view, not making an application under Section 33(2)(b) seeking approval or withdrawing an application once made before any order is made thereon, is a clear case of contravention of the proviso to Section 33(2)(b). An employer who does not make an application under Section 33(2)(b) or withdraws that one made, cannot be rewarded by relieving him of the statutory obligation created on him to make such an application. If it is so done, he will be happier or more comfortable than an employer who obeys the command of law and makes an application inviting scrutiny of the authority in the matter of granting approval of the action taken by him. Adherence to and obedience of law should be obvious and necessary in a system governed by rule of law. An employer by design can avoid to make an application after dismissing or discharging an employee or file it and withdraw before any order is passed on it, on its merits, to take a position that such order is not inoperative or till it is set aside under Section 33A notwithstanding the contravention of Section 33(2)(b) proviso, driving the employee to have recourse to one or more proceeding by making a complaint under Section 33A or to raise another industrial dispute or to make a

complaint under Section 31 (1). Such an approach destroys the protection specifically and expressly given to an employee under the said proviso as against possible victimization, unfair labour practice or harassment because of pendency of industrial dispute so that an employee can be saved from hardship of unemployment."

36. It is evident that action of the bank in dispensing with the services of Shri Hans Raj, Mehar Chand, Vijay, Smt. Sita Devi, Ashok Kumar and Kishan is void ab initio, since their services were done away by the bank in contravention of the provisions of Section 33-2(a) of the Act. Hence, Shri Hans Raj, Mehar Chand, Vijay, Ashok Kumar, Smt. Sita and Kishan are deemed to be in the services of the bank.

37. Dinesh and Reshma are still working with the bank, while services of Smt. Baby had been regularized. No evidence has come over the record to the effect that services of Sita Ram, Smt. Poonam and Sanjay have been dispensed with by the Bank. Shri C. S. Dahia deposes that they are still working as part time sweeper(s) with the bank. His testimony on that count was not dispelled, when he faced ordeal of cross examination. On the other hand, Shri Hans deposed that Roop Chand, Satish Kumar, Satish Chand and Saroj are no more working with the bank. It is unfortunate that neither of the parties unfold the date(s) when services of the aforesaid sweepers were dispensed with. However, it cannot be taken to mean that their services were disengaged either during pendency of the conciliation proceedings or during pendency of the dispute before this Tribunal for adjudication. Therefore, it is held that Roop Chand, Satish Chand, Satish Kumar and Saroj are no more in service of the bank and their case for regularization absorption in service cannot be considered. However, Shri Sita Ram, Smt. Poonam and Sanjay are the employee(s) in respect of whom the bank could not assert that they are not in its services. Consequently it would be considered whether they are eligible for absorption in the services of the bank.

38. Now I would proceed to adjudicate the proposition as to whether act of keeping temporary sweepers continuously in service is just, fair and legal. Assailing the claim, the bank projects that since claimants were engaged dehors recruitment rules, they cannot agitate for regularization of their services. Shri Gupta had argued that word "regularisation" connotes and is calculated to condone any procedural irregularity in the process of making appointment and meant to cure only such irregularities which are attributable to methodology followed in making appointments. According to him regularization cannot and does not relate to permanence on a post. When appointment of claimants were in infraction of statutory rules that illegality cannot be rectified or regularized, argued Shri Gupta. Non compliance with the rules, in the matter of

appointment goes to the root of the matter. Therefore, claim projected by the claimant union cannot be answered in their favour, concludes Shri Gupta.

39. To answer the proposition raised by Shri Gupta, it is expedient to know the procedure, following which a part time employee may be employed. Shastry Award gives classification of employees. Para 508 of the Award commands that employees shall be classified as : (a) permanent employees, (b) probationers, (c) temporary employees, (d) part time employees. Part time employee has been defined to mean "an employee who does not or is not required to work for the full period for which an employee is ordinarily required to work and who is paid on the basis that he is or may be engaged in doing work elsewhere".

40. Paragraph 493 of Shastry Award projects that bank(s) in their own interest and, in case of a reasonable number of posts, advertise them and then make appointments after passing the candidates through such tests as they may consider necessary. The bank(s) should also maintain registers of candidates in which their names, ages, qualifications, previous experience, if any, special merits and recommendations should be entered and such registers should be revised periodically and kept upto date. Such registers should also have the names of retrenched and temporary employees whose work has been found to be satisfactory. The award nowhere provides as to how a part time employee would be recruited.

41. Desai Award directs that a minimum of 1/3rd of the appropriate rate of pay and allowances should be given to part time employees, if such part time employee work for not less than 7 hours per week. Minima of wages have been prescribed for them, as detailed above. Desai Award is also silent as to under what manner a part time employee would be recruited by the bank(s).

42. First Bipartite Settlement lays down in detail as to how a part time employee would be paid. In clause 4.5 it has been provided that in supersession of paragraph 5.191 of the Desai Award, part time workman shall be entitled to graduated incremental pay scales relating to their working hours as follows :

- (a) Part time workman other than those belonging to subordinate staff shall be paid 1/3rd of the basic pay, special allowance, house rent allowance and other allowance, if any and D. A. and shall also be entitled to 1/3rd of the annual increments, payable under this settlement to full time workman provided that the total working hours of such part time workmen shall not exceed 12 per week.
- (b) Part time workmen who are members of subordinate staff shall (subject to clause 20.5) be paid—if their normal working hours per week are :

(1) Upto 3 hours	at banks discretion.
(2) More than three hours but less than six hours	at banks discretion but minimum Rs.15 P.M.
(3) 6 hours to 13 hours	1/3rd of the scale wages with proportionate annual increment.
(4) More than 13 hours to 19 hours	1/2 of the scale wages with proportionate annual increment.
(5) More than 19 hours to 29 hours	3/4th of the scale wages with proportionate annual increment.
(6) Beyond 29 hours	Full scale wages.

43. Second Bipartite Settlement also speaks about the wages of part time workman. Clause 9 of the said settlement projects that in supersession of clauses 4.5 and 20.5 of the Bipartite Settlement dated 19th October, 1966, part time workman shall be entitled to graduated incremental pay scales related to their work hours, as follows:—

- (a) Part time workman other than those belonging to the subordinate staff shall be paid 1/3rd of the scale wages and shall be entitled to 1/3rd of the annual increment, payable under the settlement to full time workman provided that the total working hours of such part time work shall not exceed 12hrs per week.
- (b) Part time workmen who are members of subordinate staff shall be paid if their normal total working hours per week are :

(1) Up to three hours	at bank's discretion.
(2) More than three hours but less than six hours	at bank discretion but with a minimum of Rs. 25 P.M.
(3) 6 hours to 13 hours	1/3rd of the scale wages with proportionate annual increment.
(4) More than 13 hrs to 19 hours	1/2 of the scale wages with proportionate annual increment.
(5) More than 19 hours to 29 hours	3/4th of the scale wages with proportionate annual increment.
(6) Beyond 29 hours	Full scale wages.

44. In Third Bipartite Settlement Agreement was reached to the effect that permanent part time employees who are required to work for more than six hours a week will be eligible for provident fund and gratuity. Part time employee, who is required to work over 3 hours but below six hours a week, shall be paid Rs. 60 P.M. w.e.f. 1st of

September, 98. It was further agreed that subject to bank recruitment rules, if any, part time employees in the subordinate cadre will be given a preference for filling full time vacancies in the same cadre, other things being equal.

45. Clause 18.1 of the Fifth Bipartite Settlement projects that codified service conditions of part-time employees with such modifications, as are considered necessary, as follows:—

Subordinate Staff

If their normal total working hours per week are:

Upto 3 hours	at bank's discretion with a minimum of Rs. 60 p.m.
More than 3 hours	at bank's discretion but with a minimum of Rs. 175 p.m..
6 hours to 13 hours	One third of the scale wages with proportionate annual increment.
More than 13 hours to 19 hours	One half of the scale wages with proportionate annual increment.
More than 19 hours to 29 hours	Three fourth of the scale wages with proportionate annual increment.
Beyond 29 hours	Full scale wages.

'Scale wages' are defined to mean basic pay, city compensatory allowance (as Clause 6), if any, special/house rent/other allowance, if any, and dearness allowance payable under this Settlement to full time workmen.

Part-time employees not drawing scale wages shall be eligible for only fixed monthly payment made to them by the bank. Other part-time employee drawing scale wages shall get only such benefits as are specifically provided hereunder:—

- (a) Permanent part-time employees drawing scale wages are eligible for leave, medical aid and uniforms.
- (b) Permanent part-time employees drawing scale wages are eligible. for Provident Fund with effect from 1-9-1978.
- (c) Permanent part-time employees drawing scale wages in banks other than in State Bank of India will be eligible for Gratuity. Those in State Bank of India, will however be eligible for Gratuity or Pension as per rules.
- (d) Permanent part-time employees drawing scale wages shall be eligible for leave fare concession and leave encashment on pro-rata basis with effect from 1-4-89.

46. In Supplementary Settlement dated 28th Nov., 1997, it was agreed that part time employees who are members of the subordinate staff and whose normal total working hours per week are as given below shall be paid consolidated wages :

1. Part-Time Employees

In partial modification of Clause 18(1) of Memorandum of Settlement dated 10th April, 1989, part-time employees who are members of the subordinate staff, whose normal total working hours per week are as given below, shall be paid consolidated wages :

(a) From 1-11-1992 to 31-10-1994

Upto 3 hours	= Rs.130 p.m.
More than 3 hours but less than 6 hours	= Rs. 375 p. m.

(b) From 1.11.1994

Upto 3 hours	Rs. 150 p.m.
More than 3 hours but less than 6 hours	= Rs. 440 p.m.

47. In Seventh Bipartite Settlement it has been projected that part time employees shall be paid consolidated wages, in accordance with their working hours. Those agreed aspects are as follows:

"20. Part Time Employees :

(i) In partial modification of Clause 1 of the Bipartite Settlement dated 28th November, 1997, with effect from 1st November, 1997, part time employees whose normal working hours per week are as given below shall be paid consolidated wages as under

(a) Upto 3 hours	at bank's discretion with a minimum of Rs.450 p.m.
(b) More than 3 hours but less than 6 hrs	: at bank's discretion with a minimum of Rs. 740 p.m.

(ii) In partial modification of Clause 18.2 of the Bipartite Settlement dated 10th April, 1989, with effect from 1st November, 1999, part time employees drawing scale wages shall also be eligible for reimbursement of hospitalisation expenses on pro-rata basis.

48. Except the amount of wages payable to a part-time employee, in none of the awards and settlements, referred above, mode or method of recruitment of a part-time employee(s) was ever provided for. Shri Gupta has not been able to place recruitment rules for recruitment of part-time sweepers, which are being followed by the bank. There is a candid admission by the bank that no recruitment rules are there for recruitment of part-time sweeper(s). Left in lurch, the Tribunal had to make efforts to ascertain as to

whether the bank(s) are bound to follow some guidelines for recruitment of part-time employee(s). In that bid, the Tribunal could lay its hands on guidelines formulated by Department of Economic Affairs (Banking Division), Ministry of Finance, Govt. of India, New Delhi, Relevant extract of those guidelines provides as follows :

Subordinate Staff

- (i) Recruitment to subordinate staff should be on a local basis.
- (ii) The maximum age for sub-staff is to be fixed at 25 with suitable relaxation for SC/ST candidates.
- (iii) Candidates having middle school as the minimum educational qualification should be considered for appointment as sub-staff.
- (iv) Applications sponsored by the Employment Exchanges and such other applications that the bank may receive directly could form the basis for selection as sub-staff.
- (v) While no written test is normally necessary for selection of sub-staff, the bank may devise a procedure to ascertain the candidates ability to read and write. Interview should be the main process for selection.
- (vi) As the procedure for selection of sub-staff through Employment Exchange is relatively simple, long waiting lists should not be prepared.

49. Except the guidelines detailed above, no recruitment procedure in respect of part time employee(s) could reach my hands. Question for consideration comes as to whether recruitment of a part time employee would be subjected to the Employment Exchange (Compulsory Notification of Vacancies) Act, 1959. (in short the Employment Exchange Act). Clause (i) of section 2 of the Employment Exchange Act defines unskilled office work. It provides that unskilled office work means work done in establishment by any of the following categories of employees, namely, (i) daftry, (ii) jamadar, probationers and peon, (iii) dusting man and farash (iv) bundle or record lifter (v) process server (vi) watchman (vii) sweeper (viii) any other employees doing any routine or unskilled work / the Central Government may by notification in the Official Gazette declare to be unskilled this work.

50. Section 3 of the Employment Exchange Act makes it clear that the said Act, does not apply in relation to vacancies (a) in any employment in agricultural including horticulture in any establishment in private section other than employment as agricultural or farm machinery operatives. (b) under any employment in domestic service, (c) under any employment the total duration of which is

less than three months. (d) in any employment to do unskilled office work. (e) in another employment connected with the staff of Parliament. Therefore, it is evident that for recruitment of a sweeper, not to talk of a part time sweeper, provisions of the Employment Exchange Act are not applicable. The bank may recruit a part time sweeper locally, without advertising vacancy in a newspaper or otherwise. Guidelines referred above, leaves a room for the bank to receive an application directly from a candidate for recruitment as sub-staff. No obligation is cast on the bank to insist for names of the candidates being sponsored by the employment exchange. For a work, duration of which is less than 3 hours a week, a candidate would not get his name registered with an employment exchange. It is not expected of the bank to make advertisement of such vacancies for public at large, since such work would be performed by persons, who can pull on with meager income. Therefore, it is evident that for recruitment of part time sweeper discretion vests with bank to engage such persons from near vicinity, where the branch is located where work exists. Therefore, it is emerging over the record that part time sweeper(s) can be engaged by the bank in its respective branches, as per exigencies. When bank makes engagement of part time sweeper(s), as per exigency, without getting names of the candidates sponsored by an employment-exchange, which mode of recruitment is recognized by the guidelines referred above, it does not lie in its mouth to assert that the claimants were engaged dehors the rules. In such a situation contention of Shri Gupta, to the effect that the claimants were engaged in violation of rules and are not entitled for regularization of their services, is unfounded.

51. Settlement dated 18-3-2008 makes provision for absorption for casual/temporary peon(s) and sweeper(s) in service of the bank in three phases, subject to conditions contained in clause 3 of the said settlement. Sweeper(s) are required to fulfil eligibility criteria with respect to age and qualification as on first date of their engagement by the bank, ought to be medically fit for recruitment and their absorption is to take place with prospective effect. They were to be absorbed in first stage of full time/part time wages viz. 1/3rd, one half, 3/4th and full time respectively. Therefore, it is evident that settlement dated 18-3-2008 speaks of absorption of temporary sweeper(s) in the service of the bank.

52. Whether claimant's service(s) can be regularized by the bank by way of absorption in accordance with the settlement referred above? Admittedly the Apex Court in R.N. Nanjundappa [1972 (1) LLJ 565], S.C. Pandey [2006 (2) SCC 716] and A. Uma Rani [2004 (7) SCC 112] had ruled that regularization connotes and is calculated to condone any procedural irregularity in making appointment and mean to correct only such irregularity which are attributable to methodology followed in making appointments. But these

precedents do not come in the way of the claimants. Here in the case, the claimants were engaged as part time sweepers as per exigency, locally. Their engagement is not found to be violative of guidelines, issued by the Govt. of India. It is not a disputed fact that the claimants were engaged by the bank from the vicinity, where the branch was located in which work existed. Therefore, no irregularity, in making their engagement as part time sweeper(s), has been highlighted or emerged. Consequently, it is evident that act of keeping claimants as part time sweepers continuously is in violation of the settlement referred above. This Tribunal cannot conclude that such an act of the bank is just, fair and legal. Consequently the first proposition, as detailed in preceding sections, is answered in favour of the claimant union and against the bank.

53. Next proposition, which would be addressed to, is as to whether continuance of the claimants without regularization of their services is just, fair and legal? It is not a disputed fact that claimants are in service of the bank since long. The Tribunal cannot be oblivious to the proposition as to whether engagement of claimants was in consonance with the recruitment rules or it was violative of the policy of recruitment in Government job. It has also to be taken into account as to whether the casual workman was satisfying the legitimate criteria for recruitment to the post, when he was initially engaged for it. In case claimants do not come up to the expectation provided in the recruitment rules and entered in the job through backdoor in that situation this Tribunal may refuse to accord status and privilege of permanent employee(s) to them, being violative of public policy of recruitment.

54. As held above, claimants entered the job in consonance of guidelines laid by the Govt. of India. Continuance of claimants as temporary for long time would amount to unfair labour practice, which cannot be permitted to be adapted by the Tribunal as held by Apex Court in H. D. Singh (*supra*). Therefore, it is evident that continuance of the claimants as part time sweeper for a long period cannot be permitted. Even otherwise settlement dated 18-3-08 is binding on the bank, who cannot flout it. Consequently a duty is cast on the bank to consider case(s) of the claimants for absorption in bank service, in pursuance of the settlement referred above. It emerges that continuance of the claimants for a longer period without their absorption in bank's service is neither just nor fair nor legal. The second proposition is, thus, answered in favour of the claimant union and against the bank.

55. Absorption/regularization of then service of the claimant has to be done in pursuance of the settlement dated 18-3-2008. Claimants are required to fulfil eligibility criteria with respect of age, qualification on the first date of their engagement by the bank, besides being medically fit for recruitment. Consequently the bank is commanded to

ascertain eligibility of the claimants in respect of their age and qualification, as on the first date of their engagement by the bank, besides their being medically fit for recruitment, in pursuance of the settlement referred above. In case the claimants, except Roop Chand, Tapan Kumar, Satish Kumar, Satish Chand and Saroj, are found eligible the bank shall absorb them in service with prospective effect, in first stage of full time/part time wages viz. 1/3, one half, 3/4th and full time respectively. An award is, accordingly, passed. It be sent to the appropriate Government for publication.

Dr. R. K. YADAV, Presiding Officer

Dated : 16-9-2010

नई दिल्ली, 21 जनवरी, 2011

का.आ. 528 —औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ बीकानेर एण्ड जयपुर के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जयपुर के पंचाट (संदर्भ संख्या 19/09) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-1-2011 को प्राप्त हुआ था।

[सं. एल-12012/136/2008-आई आर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 21st January, 2011

S.O. 528.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 19/09) of the Central Government Industrial Tribunal-cum-Labour Court, Jaipur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of Bikaner & Jaipur and their workman, which was received by the Central Government on 20-1-2011.

[No. L-12012/136/2008-IR (B-I)]

RAMESH SINGH, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JAIPUR

Present : N. K. Purohit, Presiding Officer

I.D. No. 19/09

Reference No. L-12012/136/2008-IR (B-I)

Dated : 6-4-2009

Shri Dharam Singh Dhankad
S/o Shri Parasram Dhankad
C-122, Raunagar, Vijay Mandir Road,
Alwar (Rajasthan)

V/s

The Assistant General Manager (III)
State Bank of Bikaner & Jaipur
Zonal Office, C-54, Sarojini Nagar,
Jaipur.

AWARD

Dated : 11-1-2011

1. The Central Government in exercise of the powers conferred under clause (d) of Sub-section (1) & 2(A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following Industrial dispute to this Tribunal for adjudication which runs as under :-

"Whether the action of the management of State Bank of Bikaner & Jaipur through Assistant General Manager (III), Zonal Office, Jaipur in dismissing services of Shri Dharam Singh Dhankad, Head Cashier from 7-8-2004 on the basis of conviction of CBI Court without conducting any departmental enquiry, is just and fair? Whether awarding punishment against the same charge of reducing his pay by 2 stages and thereafter dismissing his services on the basis of the decision of CBI Court against the same charges, is also justified? If not, what relief the workman is entitled to and from which date?"

2. Pursuant to the receipt of reference order, the registered notices were issued to both the parties. On perusal of the record, it appears that on 22-2-10 Shri R.C. Jain appeared on behalf of the workman and sought time for filing claim and authority letter. On 14-6-10, he informed about the death of the workman and on 5-10-10 he sought time for filing authority letter on behalf of the legal representative of the deceased workman, but on subsequent dates i.e. 6-12-10 and 21-12-10, none appeared on behalf of the workman, legal representatives. Learned representative on behalf of the bank has submitted an application stating therein that the workman had died on 11-4-10.

3. The sub-section 8 of Section-10 envisages that no proceedings pending before the Tribunal shall lapse merely by reason of the death of any of the parties to the dispute being a workman. But in present matter, claim statement has not been filed on behalf of the legal representative of the deceased workman and there is no material on record to adjudicate the reference under consideration on merits. Under these circumstances, "No Claim Award" is passed in this matter. The reference under adjudication is answered accordingly.

4. Award as above.

N. K. PUROHIT, Presiding Officer

नई दिल्ली, 27 जनवरी, 2011

का.आ. 529.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. सी. सी. एल. के प्रबंधतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (एल.सी. संख्या 153/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-1-2011 को प्राप्त हुआ था।

[सं. एल-22013/1/2011-आई आर(सी-II)]

डी. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 27th January, 2011

S.O. 529.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (L.C.No. 153/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SCCL and their workmen, which was received by the Central Government on 27-1-2011.

[No. L-22013/1/2011-JR (C-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

Present: - Shri Ved Prakash Gaur, Presiding Officer

Dated the 27th day of December, 2010

INDUSTRIAL DISPUTE L.C.No. 153/2006

Between:

Sri Inumula Rajkumar,
S/o Komaraiah,
C/o Smt. A. Sarojana, Advocate,
Flat No. G7, Ground Floor, Rajeshwari,
Gardens Sadan, Opp: Badruka Jr. College
For Girls, Kachiguda,
Hyderabad.

....Petitioner

AND

1. The General Manager,
M/s. Singareni Collieries Company Ltd.,
Mandamarri, Adilabad District.

2. The Superintendent of Mines,
M/s. Singareni Collieries Company Ltd.,
KK-5 A Incline, Mandamarri, Adilabad District.

....Respondents

APPEARANCES:

For the Petitioner: M/s. A. Sarojana K. and Vasudeva Reddy, Advocates
For the Respondent: M/s. P.A.V.V.S. Sarma & Vijayalaxmi Panguluri, Advocates

AWARD

This petition under Sec.2 A(2) of the I.D. Act, 1947 has been filed by Sri Inumula Rajkumar, ex-badli filler to set aside the termination order dated 15-6-2005 and to reinstate the Petitioner workman with full back wages.

2. It is alleged by the Petitioner that he was appointed as badli filler on 1-3-1988 and later he was promoted as coal filler in the year 1995. He was regular to his duties till 2003. During that period the Petitioner suffered with illness and other family problems. He took treatment in company's hospital and various private hospitals. A charge sheet dated 17-1-2005 was issued alleging that the Petitioner has worked for 90 days during 2004 which amount to misconduct under company's Standing Orders No.25.25. The Petitioner has submitted his explanation on 22-2-2005 but the Respondents were not satisfied and ordered for departmental enquiry. The Enquiry Officer conducted the enquiry with pre-determined notion. The enquiry was not valid in nature. The Enquiry Officer submitted his report. On the basis of enquiry report a show cause notice dated 26-3-2005 was issued to the Petitioner against which Petitioner submitted his reply on 17-5-2005, without considering the submission made by the Petitioner he was dismissed from service w.e.f. 25-6-2005 vide office order dated 15-6-2005. The Petitioner was absent due to ill-health and the same was stated by the Petitioner before the Enquiry Officer, no challenge was made from the side of the management as such, the submission made by the Petitioner would have been deemed to be correct but the Enquiry Officer has not considered the submission made by the Petitioner workman, Enquiry Officer submitted his enquiry report with a predetermined notion as such, the order passed on such enquiry report is bad and deserves to be quashed. Proper opportunity was not given to the Petitioner in the enquiry proceeding. Dismissal order based on that enquiry is illegal, arbitrary and is liable to be treated as bad in law. Hence, it is prayed that the impugned order be quashed and the Respondent be directed to reinstate the Petitioner with back wages and all consequential benefits.

3. Management has submitted his reply alleging therein that Petitioner remained absent for the year 2004 but for 90 days which hampered the working of the company, the absence of the Petitioner was without any sufficient cause which is grave misconduct within the Standing Orders 25.25 of the company and dismissal is not bad in the light of the case law reported in 1996(1) SCC

302 State of U.P. and others Vs. Ashok Kumar Singh. Petitioner's contention that he was not afforded proper opportunity is incorrect. Due notices were given to the Petitioner to participate in the enquiry proceeding. The notice was acknowledged by the Petitioner and he participated in the enquiry proceeding. Petitioner did not avail the assistance of co-worker though he was given the opportunity to take the help of a co-worker. Petitioner did not produce any sickness proof, thus he failed to produce any documentary evidence before the Enquiry Officer. During the years 1999 to 2003 and in 2005 (Upto 25-6-2005) also the Petitioner was not regular to his duties and he has put in 112, 126, 116, 80, 79 and 36 musters respectively in the years 1999 to 2003 and in 2005 (Upto 25-6-2005). This prove that the Petitioner was not sincere to his work. He intentionally absented himself without any reason or cause. The Petitioner though cited ill health as the cause of his absenteeism, he did not specify the disease with which he was suffering and did not substantiate the same with valid documentary evidence. The company has provided medical facilities by establishing hospitals, the Petitioner did not report to the company hospital for his sickness thus, his submission that he was absent due to ill-health is unfounded, Enquiry Officer has given his finding on the material placed before him by the management and no fault can be find in the enquiry report, it is based on evidence and Petitioner's dismissal order is not disproportionate to the misconduct committed by him since Petitioner was not regular to his duties company has dismissed him which is neither illegal nor invalid.

4. Parties were directed to produce evidence in support of their claims. Petitioner has filed xerox copies of enquiry proceeding, enquiry report and original dismissal order dated 15-6-2005. However, the Respondent has filed charge sheet, acknowledgement of charge sheet, explanation submitted by the Petitioner, notice of enquiry, entire domestic enquiry proceedings, show cause notice issued to him, his explanation against show cause notice and dismissal order.

5. Coming to the point of the legality and validity of domestic enquiry conducted by the management it is pertinent to mention that Learned Counsel for the Petitioner moved memo dated 6-7-2009 conceding the validity and legality of the domestic enquiry as such, the domestic enquiry was held to be legal and valid.

6. I have gone through the claim petition, counter statement and documents filed by the parties and written arguments filed by both the parties.

7. It is admitted fact that the Petitioner has put in only 90 musters during the year 2004 for which a charge sheet dated 17-1-2005 was issued to the Petitioner against which the Petitioner filed his explanation stating therein that he remained absent because of ill-health. It is also

admitted that domestic enquiry was conducted and Petitioner participated in the domestic enquiry. On the basis of the report submitted by the Enquiry Officer dismissal order has been passed against the Petitioner which is under challenge. In this case this tribunal has to consider,

(1) Whether the absence of Petitioner during the year 2004 was for any sufficient and reasonable cause or not and the report of Enquiry Officer is based on evidence or not?

(2) Whether the punishment imposed upon the Petitioner is disproportionate to the misconduct committed by the Petitioner?

8. Point No.1: The Petitioner has submitted that he was sick due to which he remained absent during the year 2004 and put in 90 musters during the year 2004. His statement was recorded by the Enquiry Officer, during course of the enquiry he stated that he worked for 90 days and remained absent for the rest of days in 2004 due to health problems, but has not been able to provide any single document before the Enquiry Officer to substantiate his allegations. In his reply dated 22-2-2005 he wrote that he was not keeping good health due to which he could not attend to his duties regularly. As against this, the management has produced Sri V. Samba Murthy, Pit Office Assistant and Sri Md. Raza Ali, Paysheet Clerk to prove that Petitioner remained absent without any leave or without any intimation during the year 2004 from January to December. Since absence of the Petitioner was admitted by the Petitioner himself it was the sole duty of the Petitioner to prove that his absence was due to any cogent reason or sufficient cause. Petitioner was not able to prove that his absence during the year 2004 was due to sufficient reason. Though he stated that he was absent due to ill-health but he is not able to provide any evidence or proof in support of his illness or treatment for ill-health. Even if it is presumed that Petitioner remained absent due to the ill-health why he did not inform his superiors regarding the same has not been explained by the Petitioner. Thus, the finding of the Enquiry Officer that Petitioner's absence during the year 2004 was without any sufficient reason or valid cause is based on evidence and reasoning and no fault can be find in the finding arrived at by the Enquiry Officer.

9. This tribunal is also of the opinion that the Petitioner remained absent without any intimation to his employer during the year 2004 his absence was without any reasonable or sufficient cause and thereby the Petitioner has committed misconduct mentioned in para 25.25 of the Standing Orders of the company. Point No.1 is decided accordingly.

10. Point No. 2: So far as the question of punishment is concerned the Petitioner has not been able to justify his absence during the year 2004, he has voluntarily admitted before the Enquiry Officer that he remained

absent during 2004 and could attend only 90 musters though the Respondent management has stated in the counter statement that Petitioner remained absent during the year 1999 to 2003 and in 2005 also which was not mentioned in the charge sheet. However, this fact was not brought before the Enquiry Officer also. As such, the previous absence can not be taken into consideration but the absence in the year 2004 is surely a grave misconduct and management has not committed any mistake in passing the punishment of dismissal against the Petitioner. The Learned Counsel for the Petitioner has argued that the Petitioner's family is starving due to dismissal of the Petitioner against which Learned Counsel for the Respondent has argued that Petitioner himself is responsible for the starvation of the family members, the Petitioner was a unwilling worker who has not cared to perform his duties with sincerity as such, the punishment was proper and interference is not required in this case.

11. I agree with the argument of the Learned Counsel for the Respondent and I am also of the considered opinion that the punishment imposed on the Petitioner is neither excessive nor disproportionate and Petitioner is not a deserving person for any lenient view to be taken in favour of the Petitioner. The Petitioner himself is responsible for the starvation of his family members, no interference is required in the matter of the punishment. Point No.2 is decided accordingly.

12. From the above discussion, this tribunal is of the considered opinion that the claim petition is unfounded, no interference is required in this case. Petitioner is not entitled for any relief, petition deserves to be dismissed and it is dismissed. Hence, this award.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 27th day of December, 2010.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner

NIL

Witnesses examined for the Respondent

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 27 जनवरी, 2011

का.आ. 530.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. सी. सी. एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच,

अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (एल.सी. संख्या 109/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-1-2011 को प्राप्त हुआ था।

[सं. एल-22013/1/2011-आई आर(सी-II)]

डॉ. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 27th January, 2011

S.O. 530.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (L.C.No. 109/2007) of the Central Government Industrial Tribunal/Labour Court, Hyderabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SCCL and their workmen, which was received by the Central Government on 27-1-2011.

[No. L-22013/1/2011-IR (C-II)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

Present: - Shri Ved Prakash Gaur, Presiding Officer

Dated the 13th day of December, 2010

INDUSTRIAL DISPUTE L.C.No. 109/2007

Between:

Sri Mettu Samba Murthy,
S/o Mallaiah,
C/o Sri S. Bhagawantha Rao,
Advocate & Notary,
Near 84B Court,
Peddapally,
Dist. Karimnagar.

....Petitioner

AND

1. The General Manager,
M/s. Singareni Collieries Company Ltd.,
Ramagundam Area II,
Godavarikhani,
Dist. Karimnagar.

2. Managing Director (Adm),
M/s. Singareni Collieries Company Ltd.,
Kothagudem,
Dist. Khammam.

....Respondents

APPEARANCES:

For the Petitioner: Sri S. Bhagawantha Rao,
Advocate

For the Respondent: Authorised representative

AWARD

This petition under Sec.2A (2) of the I.D. Act, 1947 was filed by Sri Mettu Samba Murthy against the management of M/s. Singareni Collieries Company Ltd. to set aside the dismissal order of Respondent dated 24-11-1998 and to reinstate him in the service with full back wages and other attendant benefits.

2. Case is fixed for filing of Vakalat, counter and documents of Respondent. On 13-12-2010 both parties called absent. Hence, petition is dismissed in absence of parties. Therefore, a 'Nil' Award is passed in absence of parties concerned.

Award passed accordingly. Transmit.

Dictated to Sri J. Vijaya Sarathi, LDC transcribed by him corrected by me on this the 13th day of December, 2010.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence**Witnesses examined for the Petitioner**

NIL

Witnesses examined for the Respondent

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 27 जनवरी, 2011

का.आ. 531.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. सी. सी. एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचाट (एस.सी. संख्या 73/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-1-2011 को प्राप्त हुआ था।

[सं. एल-22013/1/2011-आई आर(सी-II)]

डॉ.एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 27th January, 2011

S.O. 531.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (L.C.No. 73/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of SCCL and their workman, which was received by the Central Government on 27-1-2011.

[No. L-22013/1/2011-IR(C-II)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
AT HYDERABAD**

Present: - Shri Ved Prakash Gaur, Presiding Officer

Dated the 27th day of December, 2010

INDUSTRIAL DISPUTE L.C. No. 73/2007

Between:

Sri Kesaboina Gattaiah,
S/o Illaiah,
C/o Sri S. Bhagawan Rao,
Advocate & Notary ,
Near Sub-Court Buildings,
Post: Peddapally,
Dist: Karimnagar

....Petitioner

AND

1. The Superintendent of Mines,
M/s. Singareni Collieries Company Ltd.,
Somagudem.

2. The General Manager,
M/s. Singareni Collieries Company Ltd.,
Mandamarri Area,
Post: Mandamarri,

Adilabad District.

3. Managing Director (Administration),
M/s. Singareni Collieries Company Ltd.,
Kothagudem,
District: Khamman.

....Respondents

Appearances:

For the Petitioner: Sri S. Bhagawan Rao,
Advocate
For the Respondent: M/s. P.A. V.V. S. Sarma &
Vijaya Laxmi Panguluri,
Advocates

AWARD

This petition under Sec. 2 A (2) of the I. D. Act, 1947 has been filed by Sri Kesaboina Gattaiah, Ex. Coal filler challenging the dismissal order dated 30-1-1998 passed by the management of M/s. Singareni Collieries Company Ltd., and to reinstate him with back wages and all attendant benefits.

2. Petitioner submitted that he was appointed at Somagudem 1 incline as badli filler on 20-12-1985. The management has accepted VRS of the father of Petitioner and consequent upon his father's voluntary retirement he was given employment. He has discharged his services to the fullest satisfaction of the superiors till his dismissal. He was issued with a charge sheet in the year 1996 with the following charge:

410 9711-32

"Habitual late attendance without leave or without sufficient cause amounts to misconduct U/s 25:25 of Standing Orders of company."

3. Though the Petitioner has submitted explanation to the charge sheet, disciplinary proceedings were initiated in 1997 and he was dismissed from service on 30-1-1998. He was not provided with the documents and enquiry was a formal enquiry. Hence, he prayed this court to direct the Respondents to reinstate the Petitioner into service with continuity of service and other attendant benefits.

4. Respondent has filed counter statement stating therein that the matter of the Petitioner has been referred by Government of India, Ministry of Labour and employment to this tribunal which has been registered as I. D. No.91 of 2006 in which case Petitioner has not submitted his claim statement and later he filed the present petition under Sec.2A (2) of the Industrial Disputes Act, 1947. That the Petitioner was initially appointed in Respondent's company on 20-12-1985 and got regularized from 30-3-1989. During the year 1996 he has put in 6 musters only, hence, a charge sheet dated 12-8-1997 was issued to the Petitioner for his absenteeism in the year 1996. It is further submitted that Petitioner has submitted his explanation accepting his mistake. He was dismissed from service after conducting a detailed domestic enquiry following the principles of natural justice. It is submitted that Petitioner got absented without sanctioned leave and unable to produce evidence in support of his ill-health. He was an underground employee and expected to put in 190 musters every year. He has put in 108, 87, 196, 58, 21, 6 and 5 days from the year 1991 to 1997 respectively.

5. It is further submitted that Petitioner remained absent for the year 1996 but for 6 days which hampered the working of the company, the absence of the Petitioner was without any sufficient cause which is grave misconduct within the Standing Orders 25.25 of the company and dismissal is not bad in the light of the case law reported in 1996 (1) SCC 302 State of U. P. and others Vs. Ashok Kumar Singh. Petitioner's contention that he was not afforded proper opportunity is incorrect. Due notices were given to the Petitioner to participate in the enquiry proceeding. The notice was acknowledged by the Petitioner and he participated in the enquiry proceeding. Petitioner did not availed the assistance of co-worker though he was given the opportunity to take the help of a co-worker. Petitioner did not produce any sickness proof, thus he failed to produce any documentary evidence before the Enquiry Officer. The petition be dismissed as devoid of merits.

6. Parties were directed to produce evidence in support of their claims. Petitioner has filed copy of representation dated 6-12-2006, dismissal order, enquiry notices and empanelment list of badlies containing his name at Sl.No.6. Respondent has filed charge sheet,

explanation of Petitioner to the charge sheet, enquiry proceedings, enquiry report, letter forwarding enquiry proceeding and enquiry report to Petitioner, dismissal order, paper notification.

7. Coming to the point of the legality and validity of domestic enquiry conducted by the management it is pertinent to mention that as the Petitioner has not challenged the legality of the domestic enquiry, case is fixed for arguments under Sec.11A of the Industrial Disputes Act, 1947. Though, Learned Counsel for the Petitioner moved memo dated 7-7-2009 to reopen the case, he did not turn up for later dates and also not pressing the memo hence, in absence of workman his argument is closed and heard argument of Respondent.

8. It appear that Petitioner is not interested to proceed with the case. However, I have gone through the claim statement, counter statement, documents of the both parties and arguments of the Respondent.

9. It is admitted fact that the Petitioner has put in only six musters during the year 1996 for which a charge sheet dated 12-8-1997 was issued to the Petitioner against which the Petitioner filed his explanation stating therein that he remained absent because of ill-health. It is also admitted that domestic enquiry was conducted and Petitioner participated in the domestic enquiry. On the basis of the report submitted by the Enquiry Officer dismissal order has been passed against the Petitioner which is under challenge. In this case this tribunal has to consider,

(1) Whether the absence of Petitioner during the year 1996 was for any sufficient and reasonable cause or not and the report of Enquiry Officer is based on evidence or not ?

(2) Whether the punishment imposed upon the Petitioner is disproportionate to the misconduct committed by the Petitioner ?

10. Point No.1: The Petitioner has submitted that he was sick due to which he remained absent during the year 1996 and put in 6 musters during the year 1996. His statement was recorded by the Enquiry Officer, during course of the enquiry he stated that he worked for 6 days and remained absent for the rest of days in 1996 due to health problems, but has not been able to provide any single document before the Enquiry Officer to substantiate his allegations. In his reply dated 9-10-1997 he wrote that he was not keeping good health due to which he could not attend to his duties regularly. As against this, the management has produced Sri. M. Suryanarayana Rao, Office Superintendent and Sri N. Nageshwara Rao, Paysheet Clerk to prove that Petitioner remained absent without any leave or without any intimation during the year 1996 from January to December. Since absence of the Petitioner was admitted by the Petitioner himself it was the sole duty of the Petitioner to prove that his absence

was due to any cogent reason or sufficient cause. Petitioner was not able to prove that his absence during the year 1996 was due to sufficient reason. Though he stated that he was absent due to ill-health but he is not able to provide any evidence or proof in support of his illness or treatment for ill-health. Even if it is presumed that Petitioner remained absent due to the ill-health why he did not inform his superiors regarding the same has not been explained by the Petitioner. Thus, the finding of the Enquiry Officer that Petitioner's absence during the year 1996 was based on evidence and reasoning and no fault can be found in the finding arrived at by the Enquiry Officer.

11. This tribunal is also of the opinion that the Petitioner remained absent without any intimation to his employer during the year 1996 his absence was without any reasonable or sufficient cause and thereby the Petitioner has committed misconduct mentioned in para 25.25 of the Standing Orders of the company. Point No.1 is decided accordingly.

12. **Point No.2:** So far as the question of punishment is concerned the Petitioner has not been able to justify his absence during the year 1996, he has voluntarily admitted before the Enquiry Officer that he remained absent during 1996 and could attend only 06 musters though the Respondent management has stated in the counter statement that Petitioner remained absent during the year 1991 to 1995 and in 1997 also which was not mentioned in the charge sheet. However, this fact was not brought before the Enquiry Officer also. As such, the previous absence can not be taken into consideration but the absence in the year 1996 is surely a grave misconduct and management has not committed any mistake in passing the punishment of dismissal against the Petitioner. The Learned Counsel for the Petitioner has argued that the Petitioner's family is starving due to dismissal of the Petitioner against which Learned Counsel for the Respondent has argued that Petitioner himself is responsible for the starvation of the family members, the Petitioner was an unwilling worker who has not cared to perform his duties with sincerity as such, the punishment was proper and interference is not required in this case.

13. I agree with the argument of the Learned Counsel for the Respondent and I am also of the considered opinion that the punishment imposed on the Petitioner is neither excessive nor disproportionate and Petitioner is not a deserving person for any lenient view to be taken in favour of the Petitioner. The Petitioner himself is responsible for the starvation of his family members, no interference is required in the matter of the punishment. Point No.2 is decided accordingly.

14. From the above discussion, this tribunal is of the considered opinion that the claim petition is unfounded,

no interference is required in this case. Petitioner is not entitled for any relief, petition deserves to be dismissed and it is dismissed. Hence, this award.

Award passed accordingly. Transmit.

Dictated to Smt. P. Phani Gowri, Personal Assistant transcribed by her corrected by me on this the 27th day of December, 2010.

VED PRAKASH GAUR, Presiding Officer

Appendix of evidence

Witnesses examined for the Petitioner

NIL

Witnesses examined for the Respondent

NIL

Documents marked for the Petitioner

NIL

Documents marked for the Respondent

NIL

नई दिल्ली, 1 फरवरी, 2011

का.आ. 532.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 01 मार्च, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त की हो चुकी है) अध्याय 5 और 6 (धारा 76 की उप धारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त जा चुकी है) के उपबंध पंजाब राज्य के नियन्त्रित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :

क्रमांक	गांव का नाम	हड्डबस्त संख्या	तहसील	जिला
1.	पलाही	60	फगवाड़ा	कपूरथला
2.	- नंगल	102	फगवाड़ा	कपूरथला
3.	खोतरां	01	बंगा	शहीद भगत सिंह नगर

[सं. एस-38013/10/2011-एस एस-1]

एस. डी. जेवियर, अवर सचिव

New Delhi, the 1st February, 2011

S.O. 532.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st March, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI (except Sub-Section (i) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Punjab namely :—

Sl. No.	Name of the Village	Had Bast No.	Tehsil	District
1.	Plahi	60	Phagwara	Kapurthala
2.	Nangal	102	Phagwara	Kapurthala
3.	Khotran	01	Banga	Shahid Bhagat Singh Nagar

[No. S-38013/10/2011-SS-I]
S. D. XAVIER, Under Secy.

नई दिल्ली, 1 फरवरी, 2011

का.आ. 533.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 01 मार्च, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय 5 और 6 (धारा 76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त हो चुकी है) के उपबंध पंजाब राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :-

क्रमांक	गाँव का नाम	हदबस्त संख्या	तहसील	जिला
1.	भोखरा	160	गुनियाना	बठिण्डा
2.	गिलपट्टी	71	बठिण्डा	बठिण्डा

[सं. एस-38013/11/2011-एस एस-1]

एस. डी. जैवियर, अवर सचिव

New Delhi, the 1st February, 2011

S.O. 533.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st March, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI (except Sub-Section (i) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Punjab namely :—

Sl. No.	Name of the Village	Had Bast No.	Tehsil	District
1.	Bhokra	160	Goniana	Bathinda
2.	Gill Patti	71	Bathinda	Bathinda

[No. S-38013/11/2011-SS-I]

S. D. XAVIER, Under Secy.

नई दिल्ली, 1 फरवरी, 2011

का.आ. 534.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा(3) द्वारा प्रदत्त शक्तियों का प्रयोग

करते हुए, केन्द्रीय सरकार एतद्वारा 01 मार्च, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय 5 और 6 (धारा 76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त हो चुकी है) के उपबंध पंजाब राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :

क्रमांक	गाँव का नाम	हदबस्त संख्या	तहसील	जिला
1.	पंगोली	351	पठानकोट	गुरदासपुर
2.	कियारी	350	पठानकोट	गुरदासपुर
3.	सियूटी	376	पठानकोट	गुरदासपुर

[सं. एस-38013/12/2011-एस एस-1]

एस.डी. जैवियर, अवर सचिव

New Delhi, the 1st February, 2011

S.O. 534.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st March, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI (except Sub-Section (i) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Punjab namely :—

Sl. No.	Name of the Village	Had Bast No.	Tehsil	District
1.	Pangoli	351	Pathankot	Gurdaspur
2.	Kiari	350	Pathankot	Gurdaspur
3.	Siunti	376	Pathankot	Gurdaspur

[No. S-38013/12/2011-SS-I]

S. D. XAVIER, Under Secy.

नई दिल्ली, 1 फरवरी, 2011

का.आ. 535.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 01 मार्च, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय 5 और 6 (धारा 76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त हो चुकी है) के उपबंध पंजाब राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :

क्रमांक	गाँव का नाम	हदबस्त संख्या	तहसील	जिला
1.	गुन्ना	124	फिल्लौर	जालंधर
2.	बचोवाल	137	फिल्लौर	जालंधर
3.	गोहावर	238	फिल्लौर	जालंधर

[सं. एस-38013/13/2011-एस. एस. 1]

एस.डी. जेवियर, अवर सचिव

New Delhi, the 1st February, 2011

S.O. 535.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st March, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Punjab namely :—

Sl. No.	Name of the Village	Had Bast No.	Tehsil	District
1.	Gunna	124	Phillaur	Jallandhar
2.	Bachowal	137	Phillaur	Jallandhar
3.	Gohawar	238	Phillaur	Jallandhar

[No. S-38013/13/2011-S. S. I]

S. D. XAVIER, Under Secy.

नई दिल्ली, 1 फरवरी, 2011

का.आ. 536.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 मार्च, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय 5 और 6 (धारा 76 की उप धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध पंजाब राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :

क्रमांक	गाँव का नाम	हदबस्त संख्या	तहसील	जिला
1.	शमशेर नगर	139	फतेहगढ़ साहिब	फतेहगढ़ साहिब
2.	फतेहगढ़ साहिब	110	फतेहगढ़ साहिब	फतेहगढ़ साहिब

[सं. एस-38013/14/2011-एस. एस. 1]

एस.डी. जेवियर, अवर सचिव

New Delhi, the 1st February, 2011

S.O. 536.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st March, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Punjab namely :—

Sl. No.	Name of the Village	Had Bast No.	Tehsil	District
1.	Shamsher Nagar	139	Fatehgarh Sahib	Fatehgarh Sahib
2.	Fatehgarh Sahib	110	Fatehgarh Sahib	Fatehgarh Sahib

[No. S-38013/14/2011-S. S. I]

S. D. XAVIER, Under Secy.

नई दिल्ली, 1 फरवरी, 2011

का.आ. 537.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 मार्च, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय 5 और 6 (धारा 76 की उप धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध पंजाब राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :

क्रमांक	गाँव का नाम	हदबस्त संख्या	तहसील	जिला
1.	छापियांवाली	157	मलौट	मुकासर

[सं. एस-38013/15/2011-एस. एस. 1]

एस.डी. जेवियर, अवर सचिव

New Delhi, the 1st February, 2011

S.O. 537.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st March, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Punjab namely :—

Sl. No.	Name of the Village	Had Bast No.	Tehsil	District
1.	Chhapianwali	157	Malout	Mukatsar

[No. S-38013/15/2011-S. S. I]

S. D. XAVIER, Under Secy.

नई दिल्ली, 1 फरवरी, 2011

का.आ. 538.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 मार्च, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय 5 और 6 (धारा 76 की उप धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध पंजाब राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :

क्रमांक	गाँव का नाम	हदबस्त संख्या	तहसील	जिला
1.	चमारहेरी	107	पटियाला	पटियाला
2.	चौड़ा	30	पटियाला	पटियाला
3.	धरेरीजट्टां	106	पटियाला	पटियाला

[सं. एस-38013/16/2011-एस. एस. 1]

एस.डी. जेवियर, अवर सचिव

New Delhi, the 1st February, 2011

S.O. 538.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st March, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Punjab namely :—

Sl. No.	Name of the Village	Had Bast No.	Tehsil	District
1.	Chamarheri	107	Patiala	Patiala
2.	Choura	30	Patiala	Patiala
3.	Dhereri Jattan	106	Patiala	Patiala

[No. S-38013/16/2011-S. S. I.]

S. D. XAVIER, Under Secy.

नई दिल्ली, 1 फरवरी, 2011

का.आ. 539.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 मार्च, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय 5 और 6 (धारा 76 की उप धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध पंजाब राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :

क्रमांक	गाँव का नाम	हदबस्त संख्या	तहसील	जिला
1.	महम्मदपुर	35	डेरा बस्सी	मोहाली
2.	मोथावाली	38	डेरा बस्सी	मोहाली
3.	महीवाला	57	डेरा बस्सी	मोहाली
4.	महीवाला	05	डेरा बस्सी	मोहाली
5.	मलकपुर	220	डेरा बस्सी	मोहाली

[सं. एस-38013/17/2011-एस. एस. 1]

एस.डी. जेवियर, अवर सचिव

New Delhi, the 1st February, 2011

S.O. 539.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st March, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Punjab namely :—

Sl. No.	Name of the Village	Had Bast No.	Tehsil	District
1.	Mehmadpur	35	Dera Bassi	Mohali
2.	Mothawali	38	Dera Bassi	Mohali
3.	Mahiwala	57	Dera Bassi	Mohali
4.	Mahiwala	05	Dera Bassi	Mohali
5.	Malakpur	220	Dera Bassi	Mohali

[No. S-38013/17/2011-S. S. I.]

S. D. XAVIER, Under Secy.

नई दिल्ली, 1 फरवरी, 2011

का.आ. 540.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 मार्च, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय 5 और 6 (धारा 76 की उप धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध पंजाब राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :

क्रमांक	गाँव का नाम	हदबस्त संख्या	उप.तहसील	जिला
1.	मरहोली	248	मोरिण्डा	रूपनगर

[सं. एस-38013/18/2011-एस. एस. 1]

एस.डी. जेवियर, अवर सचिव

New Delhi, the 1st February, 2011

S.O. 540.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees, State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st March, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Punjab namely :—

Sl. No.	Name of the Village	Had Bast No.	Sub-Tehsil	District
1.	Marholi	248	Morinda	Rupnagar

[No. S-38013/18/2011-S S-I]
S. D. XAVIER, Under Secy.

नई दिल्ली, 1 फरवरी, 2011

का.आ. 541.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 मार्च, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय 5 और 6 (धारा 76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध पंजाब राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :

क्रमांक	गाँव का नाम	हदबस्त संख्या	तहसील	जिला
1.	कुम्बड़ा	40	मण्डी गोविंद फतेहगढ़ गढ़ साहिब	
2.	माजरी मिश्रीवाली	03	मण्डी गोविंद फतेहगढ़ गढ़ साहिब	
3.	जड़ियाली	75	फतेहगढ़ साहिब	फतेहगढ़ साहिब

[सं. एस-38013/19/2011-एस. एस-1]

एस.डी. जेवियर, अवर सचिव

New Delhi, the 1st February, 2011

S.O. 541.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st March, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Punjab namely :—

Sl. No.	Name of the Village	Had Bast No.	Tehsil	District
1.	Kumbla	40	Mandi Gobindgarh	Fatehgarh Sahib
2.	Majri Mishri Walli	03	Mandi Gobindgarh	Fatehgarh Sahib
3.	Jandiali	75	Fatehgarh Sahib	Fatehgarh Sahib

[No. S-38013/19/2011-S S-I]
S. D. XAVIER, Under Secy.

नई दिल्ली, 1 फरवरी, 2011

का.आ. 542.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 मार्च, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय 5 और 6 (धारा 76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध पंजाब राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :

क्रमांक	गाँव का नाम	हदबस्त संख्या	तहसील	जिला
1.	गाजीपुर	92	राजपुरा	पटियाला
2.	फरीदपुर	264	राजपुरा	पटियाला

[सं. एस-38013/20/2011-एस. एस-1]

एस.डी. जेवियर, अवर सचिव

New Delhi, the 1st February, 2011

S.O. 542.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees, State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st March, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Punjab namely :—

Sl. No.	Name of the Village	Had Bast No.	Tehsil	District
1.	Gazipur	92	Rajpura	Patiala
2.	Faridpur	264	Rajpura	Patiala

[No. S-38013/20/2011-SS-I]
S. D. XAVIER, Under Secy.

नई दिल्ली, 1 फरवरी, 2011

का.आ. 543.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग

करते हुए, केन्द्रीय सरकार एतद्वारा 1 मार्च, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय 5 और 6 (धारा-76 की उप धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध पंजाब राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :

क्रमांक	गाँव का नाम	हदबस्त संख्या	तहसील	जिला
	बहादुरगढ़	339	मलेरकोटला	संग्रहर

[सं. एस-38013/21/2011-एस एस-1]

एस.डी. जेवियर, अवर सचिव

New Delhi, the 1st February, 2011

S.O. 543.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st March, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Punjab namely :—

Sl. No.	Name of the Village	Had Bast No.	Tehsil	District
1.	Bahadurgarh	339	Malerkotla	Sangrur

[No. S-38013/21/2011-SS-I]
S. D. XAVIER, Under Secy.

नई दिल्ली, 1 फरवरी, 2011

का.आ. 544.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 मार्च, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय 5 और 6 (धारा-76 की उप धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध पंजाब राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :

क्रमांक	गाँव का नाम	हदबस्त संख्या	तहसील	जिला
(1)	(2)	(3)	(4)	(5)
1.	माजरी किशनेवाली	14	अमलोह	फतेहगढ़ साहिब
2.	खुमंणा	12	अमलोह	फतेहगढ़ साहिब
3.	काहनपुर	10	अमलोह	फतेहगढ़ साहिब

(1)	(2)	(3)	(4)	(5)
4.	बदीनपुर	08	अमलोह	फतेहगढ़ साहिब
5.	शाहपुर	07	अमलोह	फतेहगढ़ साहिब
6.	कोड़ी	324	खना	लुधियाना
7.	मोहनपुर	229	खना	लुधियाना

[सं. एस-38013/22/2011-एस एस-1]

एस.डी. जेवियर, अवर सचिव

New Delhi, the 1st February, 2011

S.O. 544.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employee's State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st March, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Punjab namely :—

Sl. No.	Name of the Village	Had Bast No.	Tehsil	District
1.	Majri Kishnewali	14	Amloh	Fatehgarh Sahib
2.	Khumnna	12	Amloh	Fatehgarh Sahib
3.	Kahanpur	10	Amloh	Fatehgarh Sahib
4.	Badeenpur	08	Amloh	Fatehgarh Sahib
5.	Shahpur	07	Amloh	Fatehgarh Sahib
6.	Kauri	324	Khanna	Ludhiana
7.	Mohanpur	229	Khanna	Ludhiana

[No. S-38013/22/2011-SS-I]
S. D. XAVIER, Under Secy.

नई दिल्ली, 1 फरवरी, 2011

का.आ. 545.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 मार्च, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय 5 और 6 (धारा-76 की उप-धारा (1) और धारा 77, 78, 79 और 81

के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध पंजाब राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :

क्र. गाँव का नाम	हदबस्त	उप-तहसील	जिला
		संख्या	

1. सियालवामाजरी	147	सियालवामाजरी	मोहाली
-----------------	-----	--------------	--------

[सं. एस-38013/08/2011-एसएस-1]

एस.डी. जेवियर, अवर सचिव

New Delhi, the 1st February, 2011

S.O. 545.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employee's State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st March, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Punjab namely :—

Sl. No.	Name of the Village	Had Bast No.	Sub-Tehsil	District
1.	Syalwamazzi	147	Syalwamazzi	Mohali

[No. S-38013/08/2011-SS-I]
S. D. XAVIER, Under Secy.

नई दिल्ली, 1 फरवरी, 2011

का.आ. 546.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा-(3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 01 मार्च, 2011 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय 5 और 6 (धारा 76 की उप धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध पंजाब राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :

क्र. गाँव का नाम	हदबस्त	तहसील	जिला
		संख्या	

(1)	(2)	(3)	(4)	(5)
1. भगवानपुर	288	जालंधर-II	जालंधर	
2. लोहारा	264	जालंधर-II	जालंधर	
3. करतारपुर	370	जालंधर-II	जालंधर	
4. सूरा	325	जालंधर-II	जालंधर	
5. सरायखास	326	जालंधर-II	जालंधर	

(1)	(2)	(3)	(4)	(5)
6. बिग्रामपुर	391	जालंधर-II	जालंधर	
7. कहलवां	327	जालंधर-II	जालंधर	

[सं. एस-38013/09/2011-एसएस-1]

एस.डी. जेवियर, अवर सचिव

New Delhi, the 1st February, 2011

S.O. 546.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employee's State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st March, 2011 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Punjab namely :—

Sl. No.	Name of the Village	Had Bast No.	Tehsil	District
1.	Bhagwanpur	288	Jallandhar-II	Jallandhar
2.	Loharan	264	Jallandhar-II	Jallandhar
3.	Kartarpur	370	Jallandhar-II	Jallandhar
4.	Sura	325	Jallandhar-II	Jallandhar
5.	Sarai Khas	326	Jallandhar-II	Jallandhar
6.	Bishrampur	391	Jallandhar-II	Jallandhar
7.	Kahlwan	327	Jallandhar-II	Jallandhar

[No. S-38013/09/2011-SS-I]

S. D. XAVIER, Under Secy.

शुद्धिपत्र

नई दिल्ली, 4 फरवरी, 2011

का.आ. 547.—इस मंत्रालय की सम संबद्धक अधिसूचना दिनांक 13-9-2010 (का.आ. 2473) जो कि भारत का राजपत्र भाग-II खण्ड 3, उप-खण्ड (ii) में दिनांक 26-9-2010 को पृष्ठ 6862 पर प्रकाशित हुई है, में शब्द "Pathalayam" को "Panthalayani" के रूप में पढ़ा जाए।

[सं. एस-38013/34/2010-एसएस-1]

एस.डी. जेवियर, अवर सचिव

CORRIGENDUM

New Delhi, the 4th February, 2011

S.O. 547.—In this Ministry's notification of even number dated 13th September, 2010 (S. O. no. 2473), published in the Gazette of India No. 40, Part-II, Section-3, Sub-Sec. (ii) dated 26-09-2010, at page number 6862, the words "Pathalayam" may be read as "Panthalayani"

[No. S-38013/34/2010-SS-I]

S. D. XAVIER, Under Secy.